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NEW DELHI, SATURDAY, JUNE 20, 1959/JAISTHA 30, 1881

## NOTICE

The undermentioned Gazette of India Extraordinary was published upto the 10th June 1959 :—

Issue No.	No. and date	Issued by	Subject
90	S.O. 1371, dated 10th June, 1959	Ministry of Information and Broadcasting	Approval of films specified therein.

Copies of the Gazette Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

## PART II—SECTION 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

## MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 20th June 1959

## THE FRENCH ESTABLISHMENTS APPLICATION OF LAWS (AMENDMENT) ORDER, 1959

**S.O. 1375**—Whereas by virtue of the agreement dated the 21st day of October, 1954, entered into between the Government of India and the Government of France, the Central Government has jurisdiction in and in relation to the French Establishments in India ;

Now, therefore, in exercise of the powers conferred by section 4 of the Foreign Jurisdiction Act, 1947 (47 of 1947), and all other powers enabling it in that behalf, the Central Government is pleased to make the following Order, namely :—

1. (1) This Order may be called the French Establishments (Amendment) Order, 1959.
- (2) It shall come into force on the first day of July, 1959.

2. After serial number 22 in the Schedule to the French Establishments (Application of Laws) Order, 1954, the following shall be inserted as serial number 23 :—

Serial No.	Year	No.	Short title	Modifications
23	1948	37	The Census Act, 1958	<p>(i) Wherever the expression 'State Government' occurs in the Act, the expression 'Chief Commissioner' shall be substituted.</p> <p>(ii) For section 14 of the Act, the following shall be substituted :—</p> <p>"14. No Magistrate other than a Magistrate specially empowered in this behalf by the Chief Commissioner shall try, whether under this Act or under any other law, any act or omission which constitutes an offence under this Act."</p>

[No. F. 36(3)-Eur(W)/59].

S. SEN, Jr. Secy.

# MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 10th June 1959

S. O. 1376.—Statement of the Affairs of the Reserve Bank of India, as on the 5th June 1959.

## BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up . . . . .	5,00,00,000	Notes . . . . .	13,93,25,000
Reserve Fund . . . . .	80,00,00,000	Rupee Coin . . . . .	1,99,000
National Agricultural Credit (Long-term Operations) Fund . . . . .	25,00,00,000	Subsidiary Coin . . . . .	2,86,000
National Agricultural Credit (Stabilisation) Fund . . . . .	3,00,00,000	Bills Purchased and Discounted :—	
Deposits :—		(a) Internal . . . . .	..
(a) Government . . . . .		(b) External . . . . .	..
(1) Central Government . . . . .	53,04,36,000	(c) Government Treasury Bills . . . . .	74,99,000
(2) Other Governments . . . . .	13,17,32,000	Balances held abroad* . . . . .	19,91,38,000
(b) Banks . . . . .	74,01,71,000	**Loans and Advances to Governments . . . . .	32,22,34,000
(c) Others . . . . .	119,91,86,000	Other Loans and Advances† . . . . .	63,20,45,000
Bills Payable . . . . .	16,10,26,000	Investments . . . . .	298,32,34,000
Other Liabilities . . . . .	52,57,97,000	Other Assets . . . . .	13,43,88,000
<b>TOTAL</b>	<b>441,83,48,000</b>	<b>TOTAL</b>	<b>441,83,48,000</b>

\*Includes Cash & Short term Securities.

\*\*Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 3,81,04,000 advanced to scheduled banks against usance bills under Section 17 (4) (c) of the Reserve Bank of India Act.

Dated the 10th day of June 1959.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 5th day of June 1959.

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department . . . . .	13,93,25,000		A. Gold Coin and Bullion :—		
Notes in circulation . . . . .	1755,42,97,000		(a) Held in India . . . . .	117,76,03,000	
Total Notes issued . . . . .		1769,36,22,000	(b) Held outside India . . . . .	..	
			Foreign Securities . . . . .	178,00,89,000	
			TOTAL OF A. . . . .		295,76,92,000
			B. Rupee Coin . . . . .		127,82,68,000
			Government of India Rupee Securities . . . . .		1345,76,62,000
			Internal Bills of Exchange and other commercial paper . . . . .		..
TOTAL—LIABILITIES . . . . .		1769,36,22,000	TOTAL—ASSETS . . . . .		1769,36,22,000

Dated the 10th day of June, 1959.

H. V. R. IENGAR,  
Governor.

[No. F. 3(2)-BC/59.]

A. BAKSI, Jt. Secy.

## (Department of Economic Affairs)

## (Office of the Treasurer of Charitable Endowments for India)

*New Delhi, the 15th June 1959*

**S.O. 1377.**—The following list of properties and of securities as on the 31st March, 1959 and abstract of accounts of interest for the year 1958-59 in respect of Charitable Endowments (Central) held by the Treasurer of Charitable Endowments for India or his agents, under the Charitable Endowments Act, 1890 (6 of 1890) are published for general information.

## PART I—LIST OF PROPERTIES, OTHER THAN SECURITIES

Serial No.	Particulars of Vesting order		Name of Endowment	Administrators of property	Property held			
	No.	Date			Description	Value	Annual income, if known	Remarks
1	2	3	4	5	6	7	8	9
	INDIA							
1	Ministry of Rehabilitation Notification No. RHC 11(5)/52.	5th September 1952	The Desh-bandhu College (Delhi) Fund.	Board of Administration composed of:— (a) Secretary, Ministry of Education, who will be the Chairman.  (b) An officer of the Government of India nominated by the Ministry of Education.  (c) An officer of the Government of India nominated by the Ministry of Finance.	All that piece or parcel of land along with all buildings and structures standing thereon, situated at Kalkaji, Delhi (Block F. Kalkaji) containing by ad-measurement 558 acres of land (582.75 ft. long by 417.5 ft. wide) or thereabouts and bounded:—	Not known	Not known	

(d) Two officers of the Government of India nominated by the Ministry of Rehabilitation.

(e) Four other persons preferably non-officials nominated by the Government of India.

On the north by a road and facing the Main Shopping Centre, Kalkaji;

On the south by open land;

On the east by a lane and tenements in 'H' Block, Kalkaji.

On the west by a lane and three roomed houses in 'F' Block, Kalkaji.

2 Ministry of Health  
Notification No.  
F 4-3(2)/53-MI.

12-6-1953.

The Lady  
Hardinge Hos-  
pital for  
Women and  
Children,  
Delhi Fund.

Board of Adminis-  
tration, Lady Har-  
dinge Medical Col-  
lege & Hospital.

Land and buildings of the Lady 22,27,500·00  
Hardinge Medical College and  
Hospital, Delhi together with  
all fixtures, furniture,  
equipment etc. The area  
of the Lady Hardinge Me-  
dical College & Hospital  
Delhi—49·82 acres.  
Location—Punchkuin Road  
Boundaries :  
North—Punchkuin Road.  
South—Lady Hardinge Road.  
East—Connaught Circus.  
West—Baird Road.  
Survey No. CE 2370.

L.D.O. No. 94.

Terms—Leased to the institu-  
tion by the Land & Deve-  
lopment Officer, Delhi on a  
nominal rental of Re. 1/-  
per annum.

Number of buildings including  
mosque, church etc. 70 in all.  
Approximate cost of build-  
ing assessed by the Land  
and Development Officer,  
Delhi. Rs. 22,27,500·00.

1	2	3	4	5	6	7	8	9
BOMBAY								
1	G.I.H.D. Education No. 433.	27th May, 1909.	The Indian Institute of Science.	The collector of Bombay, Shri Rahimtullah Meherali Chinoy and Shri Naval H. Tata.	of Shri H.	"Victoria Buildings"—All that piece of freehold, situated in the Fort on the eastern side of Parsi Bazar Street, at or near the Elphinstone Circle with the messuage, tenements, buildings thereon known as 'Victoria Buildings' containing by admeasurement, 482½ sq. yards or thereabouts.	Not known	Not known
2 & 3	Do.	Do.	Do.	Do.		"Albion place and Alexandra Terrace"—All that piece of land, situated at Byculla on the eastern side of Parel Road with the messuage, tenements and buildings thereon, with their outhouses and stables known as 'Albion Place and Alexandra Terrace' containing by admeasurement 11,104 sq. yards or thereabouts.	Do.	Do.
4 & 5	Do.	Do.	Do.	Do.		"Reay House" and "Sandhurst House"—All that piece of parcel of leasehold land situated on the Apollo Reclamation, in the Island of Bombay, containing by admeasurement 2004 8/9 square yards, with the two buildings thereon, known as "Reay House" and "Sandhurst House".	Do.	Do.

6 & 7	Do.	Do.	Do.	Do.	<p>"Roosevelt or Ezra House"—All that piece of parcel of leasehold land, situated on the Apollo Reclamation, containing by admeasurement 533 square yards and <math>\frac{3}{9}</math> of another square yard, with the buildings thereon, known as 'Roosevelt House or Ezra House' and secondly all that piece of leasehold land also situated on the Apollo Reclamation, in the Island of Bombay, containing by admeasurement 573 square yards and <math>\frac{3}{5}</math> of another square yard.</p>	Do.	Do.
8 & 9	Do.	Do.	Do.	Do.	<p>"Sargent House" and "Jenkins House"—All that piece of parcel of land situated on the Apollo Reclamation in the Island of Bombay, containing by admeasurement 3,487 <math>\frac{2}{9}</math> square yards, with the buildings thereon, known as "Sargent House and Jenkins House".</p>	Do.	Do.
10	Do.	Do.	Do.	Do.	<p>"New Shamji Buildings now known as Station Terraces, Steator Road"—All that piece of land of Foras tenure, admeasuring 2,290 square yards or thereabouts with the several messuages, tenements or dwelling houses, known as 'New Shamji Buildings, Extension now known as the Station Terraces situate on the South side of the Steator Road, Bombay'.</p>	Do.	Do.

1	2	3	4	5	6	7	8	9
11	G.I.H.D. Education No. 433.	27th May, 1909.	The Indian Institute of Science.	The collector of Bombay Shri Rahimtullah Mehrali Chinoy and Shri Naval H. Tata.	"Candy House"—All that piece of leasehold land, situated on the Apollo Reclamation in the Island of Bombay, containing by admeasurement 4888/9 square yards known as "Candy House".	Not known	Not known.	
12&13	Do.	Do.	Do.	Do.	"Land near Albion Place and Alexandra Terrace"—All that piece of land containing by admeasurement 8,570 square yards or thereabouts registered by the Collector of Bombay with other land situated at Byculla on the eastern side of Parel Road in the city of Bombay, together with messuages, tenements and dwelling houses standing thereon known as "land near Albion Place and Alexandra Terrace."	Do.	Do.	107 8/9 sq. yards acquired by the Land Acquisition Officer for the city of Bombay.
14	Do.	Do.	Do.	Do.	"Land at Parel Tank Road". Firstly—All that piece of land admeasuring 67,057 square yards or thereabouts whereof 7,021 square yards is Government Toka land and 2,189 square yards is recently assessed Government land and remaining is Inam land situated at Parel on the Public Road leading to Parel	Do.	Do.	Out of 74,686 sq. yards 15,575—80 square yards acquired by Government under Land Acquisition Act for the construction of the work of the Tata Hydro-Electric Power and Supply



Co. Ltd.,  
in connection with its transmission lines and 37-471-52 square yds. subsequently acquired in 1952 by the Land Acquisition Officer.

Government tank, known as land at Parel Tank Road (Wageshri Hill).

Secondly—All that piece of vacant Inam and admeasuring 6,005 square yards or therabouts situated at Parel.

Thirdly—All that piece of vacant land of the Government Toka tenure containing by admeasurement 1,058 square yards or therabouts situated at and on the south side of Golangi Hill Road at Parel in the City of Bombay.

Fourthly—All that piece of vacant Government Toka land containing by admeasurement 566 square yards or therabouts situated at and on the south side of Golangi Hill Road at Parel in the city of Bombay.

NOTE—Some of the buildings have been proposed for sale but the sale has not been completed *vide* Government of India, Department E.H. and Lands express letter No. D-268-EII/45 dated 15-6-45.

1 2 3 4 5 6 7 8 9

## MADRAS

- 1 Madras Government 25th June The Lawrence (a) Three represen- (a) Land in Madras bearing Rs.1,26,475 Not known. The property  
No. 389 Educa- 1904 nce Memorial School (Lo- tatives of the Govt. Survey No. 232 and measur- is in the oc-  
tional. Govern- 14th May vedale)Fund of India of whom ing 15 cawnies 18 grounds and cupation of  
ment of India, 1949 the Ministry of Education and Sc- 1678 sq. ft. with the building the Civil  
Ministry of De- Defence Notification No. 778A, as amended in Go- verment of India 14th August 1952  
F. 19-84/52-GI by the Ministry of Defence and No- 15/17th Fe- tifications Nos. F. 19-39/54/H3,Edn., 1956  
F. 19-32/57D5 and 23rd August  
F. 19-40/57-D5 by 1957  
the Ministry of 28th Novem-  
Education and Sci- ber 1957  
entific Research.
- (b) Four other mem- (b) Lands in Ketti and Ootaca-  
bers to be nomina- mund in the Nilgiris District  
ted by the Govt. of having the Survey numbers  
India. and extents as noted below:—

Village	S. No.	Extent A.C.
Ketti	1158	12.57
	1224/4	49.26
	1354/2	606.55
	1355/3	25.34
	1355/5	4.29

1356/2 .	0.74
1356/4 .	1.06
1225 .	0.67
Ootacam- und 5020 .	1.66-4/8
5018 .	0.05-5/8
Ketti . 1159/1 .	0.14
Ketti . 1161/1-B	1.65
Ootacam- und . 4956 .	6.30-4/8

## UTTAR PRADESH\*

1 Government of U.P. Education Deptt. Notifi- cation No. 602/ XV-301 and 808 G/XV/619/1923. <sup>1</sup>	2nd April 1918 and 29th Nov. 1923 res- pectively.	Giraundi Kayastha Pathala Endowments Trust, Mir- zapur.	A committee consist- ing of the Collector, Mirzapur as Ex- Officio Chairman and Executor of the estate of the late Munshi Bindeshwari Prasad, pleader	(a) Three houses situated in Mohalla Wellesleygunj, Dist. Mirzapur bounded as follows:	
				(1) South-House of Shri Piare- Lal, North-House of Mus- ammat Jhunna, West Go- vernment Road, East House of Shri Summer Sonar.	Not known. Rs. 600
				(2) South-House of Munshi Bindeshwari Prasad, Vakil, North-Mosque, West-House of Shri Rameshwar Teli, East Road.	Do. Rs. 600
				(3) South-House of Shri Bu- dhu, North-House of Mun- shi Bindeshwari Prasad, Vakil, West-House of Mus- ammat Umrao, East Road.	Do. Rs. 600

\*Represents accounts for the year ending 30th September, 1958.

1	2	3	4	5	6	7	8	9
					(b) Whole of Mauza Giraundi pargana Bhail, Tehsil Chunar, Mirzapur District.	Not known	Rs. 6483.91	The property has since vested in the State under the U.P. Zamindari Abolition and Land Reforms Act, 1951 and a divesting order will be issued on receipt of certain relevant particulars from the Administrators.
					(c) A grove situated in Mauza Giraundi, Tehsil Chunar, Mirzapur District.	Do.	Rs. 600	
					(d) Pathshala in Mauza Giraundi, Tehsil Chunar, District Mirzapur situated in the grove mentioned in (c) above.	Do.	Rs. 50	
					(e) One bigha, 12 biswas of muafi land and a grove of 18 biswas.	Do.	Rs. 172.50	The property has been released to the mortgagor, but the issue of a divesting order has been held up pending certain clarifications from the Administrators.

PUNJAB

Pending apportionment of properties relating to Central Charitable Endowments between India and Pakistan, the list of properties could not be prepared.

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Sec. 3 (ii)]

THE GAZETTE OF INDIA: JUNE 20, 1959/JAISTHA 30, 1881

1399

## PART II—LIST OF ABSTRACT OF

Case No.	Name of endowment	Persons in whose behalf held	Particulars of securities	Total of Securities		Cash Interest or dividend realised
1	2	3	4	5	6	7
				Rs.	Rs.	Rs.
<b>NDIA</b>						
1	Merchant Seamen's Amenities Fund.	Merchant Seamen's Amenities Fund Committee.	3% Conversion loan 1946 3% Loan 1963-65 3 1/4% Treasury Savings Deposit Certificates	1,49,100.00 4,50,000.00 50,000.00		
2	Khandpara State Trust Fund.	Board of Trustees, Khandpara State Trust Fund.	Post Office National Savings Certificates 4% Loan 1972	60,000.00 30,600.00	7,09,100.00 30,600.00	21,959.50 1,224.00
3	Armed Forces Benevolent Fund.	Armed Forces Benevolent Fund General Committee.	3% 1st Development loan 1970-75 3% Funding Loan 1966-68. 4% Loan 1960-1970 3% Conversion loan 1946	21,65,200.00 13,14,000.00 81,900.00 8,00,400.00		
4	Lady Hardinge Hospital for women and children, Delhi, Fund.	Board of Administration, Lady Hardinge Medical College & Hospital.	3% Conversion Loan 1946 3% Loan 1963-65 4% Loan 1960-70 3% 1st Development Loan 1970-75 3 1/4% Treasury Savings Deposit Certificates Post Office National Savings Certificates 4% Ten-year Treasury Savings Deposit Certificate	1,09,400.00 7,300.00 5,19,500.00 25,300.00 15,500.00 91,000.00 75,000.00	8,43,000.00	97,613.50
5	Army Officer's Benevolent Fund.	Army Officers Benevolent Fund General Committee.	3% Conversion loan 1946	53,300.00	53,300.00	2,398.50
6	St. Dunstan's (India) Fund.	Board of Trustees, St. Dunstan's (India) Fund.	3% Second Victory Loan 1959-61 3% 1st Development Loan 1970-75 3 1/4% National Plan Loan 1964 4% Ten-year Treasury Savings Deposit Certificates Post Office National Savings Certificates	1,00,000.00 5,42,400.00 15,000.00 60,000.00 60,000.00	7,77,400.00	33,895.50
<b>BOMBAY</b>						
1	Indian Institute of Science (Bangalore Properties)	The Council of Indian Institute of Science, Bangalore.	3% Loan 1970-75 4% Loan 1960-70	2,04,100.00 2,600.00	2,06,700.00	6,227.00
2	Indian Institute of Science (Bombay Properties).	Do.	3% Conversion Loan 1946 3% Loan 1970-75 4% Bombay Municipal Debentures 4% Bombay Port Trust Bonds 4% Calcutta Port Trust Debentures 4% Bombay Improvement Trust Debentures	20,12,800.00 2,78,800.00 2,47,500.00 12,000.00 12,19,200.00 22,000.00	38,02,300.00	1,94,939.04
3	Fakirjee Cowasjee Karachi of Scholarship Fund.	Captain-Superintendent I.M.M.T.S. Duffer in Mazgaon, Bombay.	3% Conversion loan 1946	60,000.00	60,000.00	1,530.00

ACCOUNT OF SECURITIES

Receipts		Cash Expenditure		Balance	Remarks
Other cash receipts 7	Total Cash receipt 8	Payments 9		in cash 10	
	Rs.		Rs.		
		Interest remitted .	21,739.88		
		Fee paid to Govt. .	219.62		
			<u>21,959.50</u>		
(a)	21,959.50	Interest remitted .	1,817.64		(a) Represents opening
612.00	1,836.00	Fee paid to Govt. .	18.36		Balance.
			<u>1,836.00</u>		
		Interest remitted .	1,52,220.42		
(b) 3,47,391.71	5,01,149.71	(b) Other payments .	3,47,391.71		(b) Represents sale proceeds
			1,537.58		of 3% Funding Loan
		Fee paid to Govt. .	5,01,149.71		1966-68 Securities of the
					face value of Rs.
					3,75,000.00
..	37,613.50	Interest remitted .	37,237.34		
		Fee paid to Govt. .	376.16		
			<u>37,613.50</u>		
..	4,398.50	Interest remitted .	2,374.50		
		Fee paid to Govt. .	24.00		
			<u>2,398.50</u>		
		Interest remitted .	33,556.54		
		Fee paid to Govt. .	338.96		
..	33,895.50		<u>33,895.50</u>		
(f)	6,229.36	Interest remitted .	6,167.08		(f) Represents refund of in-
2.36		Fee paid to Govt. .	62.28		come tax.
			<u>6,229.36</u>		
% 55,483.69	20,50,422.73	Interest remitted .	1,92,968.82	(g)	(g) Represents uninvested
		Other Payments .	18,55,431.29	52.40	balance remaining after
		Fee paid to Govt. .	1,970.22		sale of Sundry Securities
			<u>20,50,370.33</u>		aggregating Rs. 18,46,000
	1,530.00	Interest remitted .	1,512.00		The gross interest due
		Fee paid to Govt. .	18.00		on the securities amounts
			<u>1,530.00</u>		to Rs. 1,800/- out of
					which a sum of Rs.
					270/- has been deducted
					by way of income-tax and
					surcharge. Action for
					claiming the refund is
					being taken.

1	2	3	4	5	6
				Rs.	Rs.
<b>MADRAS</b>					
1. The Lawrance Memorial School, Lovedale Fund.	(a) Three representatives of the Govt. of India of whom one shall be from the Ministry of Education and Scientific Research and shall be the Chairman, one shall be from the Ministry of Finance and shall be the Treasurer of the School and one shall be from the Ministry of Defence.	4% Loan 1960-70 . 3% Conversion loan 1946 . 4% Not-transferable Treasury Note of 1863-64 . 1872-73 . 1873-74 . 3% Loan 1963-65 . 3½% N. P. Bonds Second Series 1965 . 3½% Treasury Savings Deposit Certificates .	3,40,700.00 7,90,800.00 20,218.87 41,400.00 10,000.00 16,400.00 16,000.00 1,00,000.00	13,35,518.87	14,768.74
	(b) Four other members to be nominated by the Govt. of India.				
<b>WEST BENGAL</b>					
1. The Indian People's Welfare Trust Fund.	Board of Management New Delhi.	3% Conversion Loan 1945	32,78,400.00	32,78,400.00	68,846.40
2. The Jewish Charitable Endowment Fund.	Mussa Board Calcutta.	4% Loan 1960-70 3% Conversion Loan 1945	55,600.00 38,000.00	93,600.00	2,859.40
3. The Fund for the Medical Relief for Officers and Seamen of the Mercantile Marine.	Civil Surgeon & Secy. General Hospital Trust Fund Committee, Chittagong.	3% Conversion Loan 1946	10,000.00	10,000.00	..
<b>MADHYA PRADESH</b>					
1. Balaramadas Technical Scholarship Fund.	Committee consisting of the Divisional Superintendent of Education, Raipur and the Sub-Divisional Officer, Raipur and Nandgaon.	3% Conversion Loan 1946 3% 1st Development Loan 1970-75	7,200.00 1,400.00	8,60.000	(k) 21.00



7	8	9	10	11
Rs. (h) 3,162.17	Rs. 47,930.91	Interest remitted . Fee paid to Govt. .	Rs. 45,717.43 448.00(1) <u>46,165.43</u>	Rs. 1,765.48 (h) Represents opening balance.
				(1) The actual fee due on the interest of Rs. 44,768.74 amounts to Rs. 447.69 but due to some miscalculation the fee has been charged at Rs. 448.00. Action for refunding the excess amount of Rs. 0.31 for 1958-59 and Rs. 0.31 for 1957-58 will be taken in the year 1959-60.
	68,846.40	Interest remitted . Fee Paid to Govt. .	67,862.88 983.52 <u>68,846.40</u>	.. The gross interest due on the Securities amounts to Rs. 98,352.00 out of which a sum of Rs. 29,505.60 has been deducted by way of income-tax and surcharge. Action for claiming the refund is being taken.
(A) 883.00	3,742.40	Interest remitted . Bank Commission . Fee paid to Govt. .	3,699.76 9.00 33.64 <u>3,742.40</u>	.. The gross interest due on the Securities amounts to Rs. 3,364.00 out of which a sum of Rs. 504.60 has been deducted by way of income-tax & Surcharge. Action for claiming the refund of income-tax and Surcharge is being taken.
				(ii) Represents refund of income-tax.
(J) 744.25	744.25		..	744.25 (j) Represents opening balance.
	21.00	Interest remitted . Bank Commission . Fee paid to Govt. .	20.71 0.08 0.21 <u>21.00</u>	.. (k) Represents to interest on 3% Loan of 1970-71 for the half year ended 14-4-1958.
				This Fund was transferred to the Treasurer of Charitable Endowments, Madhya Pradesh vide Govt. of India, Ministry of Home Affairs Notification No. F. 24/8/56-Judl, II(1) dt. 24-4-1958.

1	2	3	4	5	6
				Rs.	Rs.
					Rs.
2	Nawab Sultan Jahan Begum Education Endowment, Bhopal	Board of Governors consisting of the following:— (1) His Highness Sikander Saadat Iftekhar-ul-Malik Nawab Mohammed Hamidullah Khan Bahadur, GCSI, GCIE, Ruler of Bhopal; (2) Shri Mahabir Prasad Verma formerly Judge of the Bhopal High Court; (3) Shri Mohammed Ahmed Ansari formerly Judge of the Bhopal High Court; (4) Colonel Yameenul-Mulk Nawabzada Rashiduzzafar Khan Bahadur, & (5) Mutamidul-Insha Ali-Quadr Shri Syed Mashuq Ali, Secretary, Sarf-e-Khas of His Highness the Nawab of Bhopal.	3% Conversion Loan 1946. 4% Loan 1960-70	—9,24,400 —4,31,700	13,56,100 22,500.00
BIHAR					
1	The Wood House Memorial Fund.	The Collector, Bhagalpur.	3% loan 1963-65	1,100.00	1,100.00 33.00
2	The Raja Raghubandan Prasad Trust Fund.	The Honorary Treasurers, S. P. C. A. Sadaquat Ashram Bihar, Patna.	3% Conversion loan 1946.	1,600.00	1,600.00 48.00
3	The Sir Fakhrudin Memorial Gold Medal Fund.	The Director Public Instructions, Bihar.	3% Conversion loan 1946.	1,100.00	1,100.00 33.00
MYSORE					
1	The 1937 Coronation Essay Prize Fund.	A Board of Trustees consisting of:— (a) the Head Master, Central High School, Mercara. (b) the Head Master, Govt. High School, Virajpet and (c) the Head Mistress, Girls High School, Mercara.	3% Conversion Loan 1946.	100.00	100.00 (n) 5.28
2	Yates Endowment Fund.	The District Education Officer, Coorg, Mercara.	3% Conversion Loan 1946.	400.00	400.00 (p) 21.16

7	8	9	10	11
Rs. (p) 22,826.41	Rs. 44,826.41	Interest remitted . Bank Commission . Govt. Fee .	Rs. 44,545.15 56.25 225.50  <u>44,826.40</u>	Rs. 0.01 (p) Represents opening balance.
		33.00 Interest remitted . Fee paid to Govt. .	32.66 0.34 <u>33.00</u>	...
		48.00 Interest remitted . Fee paid to Govt. .	47.52 0.48 <u>48.00</u>	...
		33.00 Interest remitted . Fee paid to Govt. .	32.66 0.34 <u>33.00</u>	...
(m) 56.53	61.81	Nil		61.81 (m) Represents opening balance.  (r) This includes a sum of Rs. 0.78 received on account of refund of income-tax and surcharge deducted in 1956-57.
(o) 164.61	185.77	Nil		185.77 (o) Represents opening balance.  (p) This includes a sum of Rs. 3.16 received on account of refund of income-tax and surcharge deducted in 1956-57.

1	2	3	4	5	6
				Rs.	Rs.
3	The Koravanda Appiah's Educational Endowments Fund.	A Board of Trustees consisting of the following gentlemen with power to add to their number, if they find it necessary.	3% Conversion Loan 1946. 3% Second Victory Loan 1959-61.	15,800.00 300.00	
		(a) Sri Koravanda Mandanna; (b) Sri Kodira Uthappa. (c) Sri Koravanda Chetmana. (d) Sri C. Achutha Rao.	P.O. National Savings Certificates.	800.00 169 00.00	(R) 848.28
UTTAR PRADESH (Represents accounts for the year ending 30th September 1958).					
<i>Aligarh</i>					
1	Tasaddug Rasul Arbie Scholarship Endowment Trust.	Treasurer, Muslim University, Aligarh.	3% Conversion Loan 1946	20,200.00	20,200.00
					606.00
2	Sir Syed Ahmed Memorial Trust.	Registrar, Muslim University, Aligarh.	3% Conversion Loan 1946	1,16,000.00	1,16,000.00
					3,480.00
3	Sir William Morris Scholarship Endowment Trust.	Vice Chancellor Muslim University, Aligarh.	3% Conversion Loan 1946	6,400.00	6,400.00
					192.00
<i>Allahabad</i>					
4	Rewa Scholarship Endowment Trust.	Principal Government Inter College, Allahabad.	3% Conversion Loan 1946	4,100.00	4,100.00
					123.00
5	Penna Scholarship Endowment Trust.	Director of Education U.P., Allahabad.	3% Conversion Loan 1946	5,200.00	5,200.00
					156.00
6	Vizianagram Scholarship Endowment Trust.	Principal, Government Inter College, Allahabad.	3% Conversion Loan 1946	14,800.00	14,800.00
					444.00
7	Vizianagram Scholarship Endowment Trust	Registrar, Allahabad University.	3% Conversion Loan 1946	26,000.00	26,000.00
					780.00
VARANASI					
8	Sadhoolal Scholarship Endowment Trust.	Principal Sanskrit College, Varanasi.	3% Conversion Loan 1946	45,000.00	45,000.00
					1,350.00
9	Kathiawad Sanskrit Scholarship Endowment Trust.	Do.	3% Conversion Loan 1946	9,100.00	9,100.00
					273.00
10	B. Shyam Singh & B. Brij Kishore Tandon Swimming Competition Endowment Trust.	Headmaster, Central Hindu School, Varanasi.	3% Conversion Loan 1946	300.00	300.00
					9.00

7	8	9	10	11
Rs.	Rs.		Rs.	Rs.
(Q) 239.63	1,087.91	Interest remitted . Fee paid to Govt. .	825.00 21.22 <hr/> 846.22	241.69 (Q) Represents Opening Balance.
..	606.00	Interest remitted . Fee paid to Govern- ment .	599.94 6.06 <hr/> 606.00	..
..	3,480.00	Interest remitted . Fee paid to Govt. .	3,445.20 34.80 <hr/> 3,480.00	..
..	192.00	Interest remitted . Fee paid to Govt. .	190.08 1.92 <hr/> 192.00	..
..	123.00	Interest remitted . Fee paid to Govt. .	121.76 1.24 <hr/> 123.00	..
(X) *25.18	181.18	Interest remitted . Fee paid to Govt. .	179.62 1.56 <hr/> 181.18	(*) Represents refund of income-tax and Surcharge.
..	444.00	Interest remitted . Fee paid to Govt. .	439.56 4.44 <hr/> 444.00	..
..	780.00	Interest remitted . Fee paid to Govt. .	772.20 7.80 <hr/> 780.00	..
..	1,350.00	Interest remitted . Fee paid to Govt. .	1,336.50 13.50 <hr/> 1,350.00	..
..	273.00	Interest remitted . Fee paid to Govt. .	270.26 2.74 <hr/> 273.00	..
..	9.00	Interest remitted . Fee paid to Govt. .	8.90 0.10 <hr/> 9.00	..

1	2	3	4	5	6	
11	Rewa Scholarship Endowment Trust.	Principal, Government Higher Secondary School, Varanasi.	3% Conversion Loan 1946	5,800.00	5,800.00	174.00
12	Nagri Pracharini Sabha Endowment Trust.	Secretary, Pracharini Sabha, Varanasi.	3% Conversion Loan 1946.	1,42,400.00	1,42,400.00	4,272.00
13	Maharaj Kumar Sri Sudhanshu Shekhar Singh Deo heir apparent of Sonapur Estate, Orissa, Medal Endowment Trust.	Vice-Chancellor, Hindu University, Varanasi.	3% Conversion Loan 1946	1,500.00	1,500.00	45.00
14	Rani Bhuwan Raj Lakshmi Devi Endowment Trust.	Registrar, Hindu University, Varanasi.	3% Conversion loan 1946	7,300.00	7,300.00	219.00

## PAURI

15	Garhwal Kshatriya Scholarship Endowment Trust Fund.	Secretary, Garhwal Kshatriya Scholarship Endowment Trust Fund, Pauri (Garhwal).	3% Conversion loan 1946.	51,800.00	51,800.00	1,554.00
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## LUCKNOW

16	MacDonnell Fund for training of lady doctors.	Principal, Medical College, Lucknow.	3% 1st Development Loan 1970-75. 3% Conversion loan 1946. 4% Loan 1960-70	10,000.00 94,300.00 13,000.00	1,17,300.00	3,874.00
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17	Nagar Education Endowment Trust.	Secretary, Nagar Education Endowment Trust, Upper India, Lucknow.	3% Conversion loan 1946. 4% loan 1960-70. 3% 1st Development loan 1970-75. Post Office National Savings Certificate.	16,600.00 3,000.00 1,300.00 400.00	26,300.00	876.50
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18	Captain Kr. Indrajit Singh, M.C.I.M.S. Memorial Research Scholarship Endowment Fund.	Principal, Medical College, Lucknow.	3% Conversion loan 1946.	1,06,600.00	1,06,600.00	3,198.00
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## MIRZAPUR

19	Giraudi Kavatha Pathshala Endowment Trust.	Collector, Mirzapur.	3% Conversion loan 1946. 4% loan 1960-70	1,600.00 15,100.00	16,700.00	652.00
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## PUNJAB

Pending apportionment of Securities relating to Central Charitable Endowments between India and Pakistan, list of Securities could not be prepared.

7	8	9	10	11
..	174.00	Interest remitted . Fee paid to Govt. .	172.26 1.74 <u>174.00</u>	..
(Y) 22.69	4,354.69	Interest remitted . Fee paid to Govt. .	4,311.97 42.72 <u>4,354.69</u>	.. (Y) Represents refund of income-tax and Surcharge.
..	45.00	Interest remitted . Fee paid to Govt. .	44.54 0.46 <u>45.00</u>	..
..	219.00	Interest remitted . Fee paid to Govt. .	216.80 2.20 <u>219.00</u>	..
..	1,554.00	Interest remitted . Fee paid to Govt. .	1,538.46 15.54 <u>1,554.00</u>	..
..	3,874.00	Interest remitted . Fee paid to Govt. .	3,833.00 41.00 <u>3,874.00</u>	.. The gross interest due on the Securities amounts to Rs. 4,099/- out of which a sum of Rs. 225/- has been deducted by way of income-tax and Surcharge. Action for claiming the refund is being taken.
..	876.50	Interest remitted . Fee paid to Govt. .	867.72 8.78 <u>876.50</u>	..
..	3,198.00	Interest remitted . Fee paid to Govt. .	3,166.02 31.98 <u>3,198.00</u>	..
..	652.00	Interest remitted . Fee paid to Govt. .	645.48 6.52 <u>652.00</u>	..

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## Part II



(b) Whole of Mauza Giraundi pargana Bhail, Tehsil Chunar, Mirzapur District.	Do.	6,483·91	The property has since vested in the State under the U.P.
(c) A grove situated in Mauza Giraundi, Tehsil Chunar, Mirzapur District.	Do.	600	Zamindari Abolition and Land Reforms Act, 1951 and a divesting order will be issued on receipt of certain relevant particulars from the Administrators.
(d) Pathshala in Mauza Giraundi, Tehsil Chunar, District Mirzapur situated in the grove mentioned in (c) above.	Do.	50	
(e) One bigha, 12 biswas of muafi land and a grove of 18 biswas.	Do.	172·50	The property has been released to the mortgagor, but the issue of a divesting order has been held up pending certain clarification from the Administrators.

## PART II—LIST AND

Cash

Case No.	Name of Endowment	Persons in whose behalf held	Particulars of Securities	Total of Securities	Interest dividend realised	or
1	2	3	4	5	6	
				Rs.	Rs.	Rs.
UTTAR PRADESH (Represents accounts for the year ending 30th September 1957)						
<i>Aligarh</i>						
1	Tassadduq Rasul Arbie Scholarship Endowment Trust.	Treasurer, Muslim University, Aligarh	3% Conversion Loan 1946	₹ 20,200.00	₹ 20,200.00	606.00
2	Sir Syed Ahmed Memorial Trust.	Registrar, Muslim University, Aligarh.	3% Conversion Loan 1946	1,16,000.00	1,16,000.00	3,480.00
3	Sir William Ma- ris Scholarship Endowment Trust.	Vice Chancellor, Muslim Univer- sity, Aligarh.	3% Conversion Loan 1946	6,400.00	6,400.00	192.00
<i>Allahabad</i>						
4	Rewa Scholarship Endowment Trust.	Principal, Govern- ment Inter Col- lege, Allahabad	3% Conversion Loan 1946	4,100.00	4,100.00	123.00
5	Panna Scholarship Endowment Trust.	Director of Edu- cation, U. P., Allahabad.	3% Conversion Loan 1946	5,200.00	5,200.00	152.88
6	Vizianagram Scholarship Endowment Trust.	Principal, Govern- ment Inter Col- lege, Allahabad.	3% Conversion Loan 1946	14,800.00	14,800.00	444.00
7	Vizianagram Scholarship Endowment Trust.	Registrar, Allahabad, University.	3% Conversion Loan 1946	26,000.00	26,000.00	780.00
VARANASI						
8	Sadholal Scholar- ship Endow- ment Trust.	Principal, Sans- krit College, Varanasi.	3% Conversion Loan 1946	45,000.00	45,000.00	1,350.00
9	Kathiawad, Sans- krit, Scholarship Endowment Trust.	Do.	3% Conversion Loan 1946	9,100.00	9,100.00	273.00
10	B. Shiam Singh & B. Brij Kish- ore Tandon Swimming Com- petition En- dowment Trust.	Headmaster, Cen- tral Hindu School, Varanasi.	3% Conversion Loan 1946	300.00	300.00	9.00
11	Rewa Scholar- ship Endowment Trust.	Principal, Govern- ment Higher Secondary School, Varanasi.	3% Conversion Loan 1946	5,800.00	5,800.00	174.00

ABSTRACT ACCOUNT OF SECURITIES.

Receipts

Other cash receipts	Total cash receipts	Cash Expenditure Payments	Balance in Cash	Remarks.
7	8	9	10	11
Rs.	Rs.	Rs.	Rs.	
...	606.00	Interest remitted . Fee paid to Govern- ment . . . . .	602.87 3.13 606.00	...
...	3,480.00	Interest remitted . Fee paid to Govt.	3,461.87 18.13 3,480.00	...
...	192.00	Interest remitted . Fee paid to Govt. .	191.00 1.00 192.00	...
...	123.00	Interest remitted . Fee paid to Govt. .	122.37 0.63 123.00	...
..	152.88	Interest remitted . Fee paid to Govt. .	152.00 0.88 152.88	*The gross interest due on the Securities amount to Rs. 156.00 out of which a sum of Rs. 3.12 was deducted by way of income-tax. Refund has since been received and accounted for in the accounts for 1958-59.
..	444.00	Interest remitted . Fee paid to Govt. .	441.62 2.38 444.00	..
..	780.00	Interest remitted . Fee paid to Govt.	775.87 4.13 780.00	..
..	1,350.00	Interest remitted . Fee paid to Govt.	1,343.00 700.00 1,350.00	..
..	273.00	Interest remitted . Fee paid to Govt. .	271.62 1.38 273.00	..
..	9.00	Interest remitted .	9.00 9.00	..
..	174.00	Interest remitted . Fee paid to Govt. .	173.12 0.88 174.00	..

1	2	3	4	5	6
				Rs.	Rs.
12	Nagri Pracharini Sabha Endowment Trust.	Secretary, Nagri Pracharini Sabha, Varanasi.	3 % Conversion Loan 1946	1,42,400.00	4,260.19
13	Ma-ha-raj Kumar Sri Sudhanshu Shekhar Singh Deo heir apparent of Sonapur Estate, Orissa, Medal Endowment Trust.	Vice-Chancellor, Hindu University Varanasi.	3 % Conversion Loan 1946	1,500.00	45.00
14	Rani Bhuwan Raj Lakshmi Devi Endowment Trust.	Registrar, Hindu University, Varanasi.	3 % Conversion Loan 1946	7,300.00	219.00
PAURI					
15	Garhwal Kahatt-viya Scholarship Endowment Trust Fund	Secretary, Garhwal Kahatttriya Scholarship Endowment Trust Fund, Pauri (Garhwal).	3 % Conversion loan 1946.	51,800.00	1,554.00
LUCKNOW					
16	Mac Donnel Fund for training of lady doctors.	Principal, Medical College, Lucknow	3 % Conversion loan 1946. 4 % Loan 1960-70	94,300.00 13,000.00	3,349.00
17	Nagar Education Endowment Trust	Secretary, Nagar Education Endowment Trust, Upper India, Lucknow.	3 % Conversion Loan 1946. 4 % loan 1960-70 3 % 1st Development loan 1970-75. Post Office National Savings Certificate.	16,600.00 8,000.00 1,300.00 400.00	837.50
18	Captain Kr. Indrajit Singh M. C.I.M.S. Memorial Research Scholarship Endowment Fund.	Principal, Medical College, Lucknow.	3 % Conversion loan 1946.	1,06,600.00	3,198.00
MIRZAPUR					
19	Girauindi Kavastha Pathshala endowment Trust.	Collector, Mirzapur.	3 % Conversion loan 1946. 4 % loan 1960-70.	1,600.00 15,100.00	652.00

7	8	9	10	11
Rs.		Rs.	Rs.	
..	4,260.19*	Interest remitted . Fee paid to Govt. .	4,237.94 22.25 <hr/> 4,260.19	..
				*The gross interest due on the Securities amounts to Rs. 4,272.00 out of which a sum of Rs. 11.81 was deducted by way of Income-tax. Refund has since been received and accounted for in the accounts for 1958-59.
..	45.00	Interest remitted . Fee paid to Govt. .	44.75 0.25 <hr/> 45.00	..
..	219.00	Interest remitted . Fee paid to Govt. .	217.87 1.13 <hr/> 219.00	..
..	1,554.00	Interest remitted . Fee paid to Govt. .	1,545.87 8.13 <hr/> 1,554.00	..
..	3,349.00	Interest remitted . Fee paid to Govt. .	3,331.50 17.50 <hr/> 3,349.00	..
..	837.50	Interest remitted . Fee paid to Govt. .	833.12 4.38 <hr/> 837.50	..
..	3,198.00	Interest remitted . Fee paid to Govt. .	3,181.37 16.63 <hr/> 3,198.00	..
..	652.00	Interest remitted . Fee paid to Govt. .	648.62 3.38 <hr/> 652.00	..

**S. O. 1379.**—A list of Securities as on 31-3-1957 and abstract of accounts of interest for the year 1956-57 in respect of Treasurer of Charitable Endowments for India, under the Charitable Endowments Act, 1890 (6 of 1890) are published

Case No.	Name of Endowment	Persons in whose behalf held	Particulars of Securities	Total of Securities
1	2	3	4	5
				Rs.
1	The 1937 Coronation Essay Prize Fund.	A Board of Trustees consisting of (a) the Head Master, Central High School, Mercara (b) the Head Master, Govt. High School, Virajpet and (c) the Head Mistress, Girls High School, Mercara.	3% Conversion Loan 1946.	100.00
2	Yates Endowment Fund	The District Education Officer, Coorg, Mercara.	3% Conversion Loan 1946.	400.00
3	The Koravanda Appiah's Educational Endowment Fund.	A Board of Trustees consisting of the following gentlemen with power to add to their number, if they find it necessary. (a) Sri Koravanda Mandanna. (b) Sri Kodira Uthappa (c) Sri Koravanda Chermana (d) Sri C. Achutha Rao.	3% Conversion Loan 1946. 3% Second Victory Loan 1959-61. P. O. National Savings Certificates	15,800.00 300.00 800.00
				16,900.00

Charitable Endowments in Mysore Circle held by the Treasurer of Charitable Endowments, Mysore as Agent to the for general information.

Cash.....Receipts			Cash Expenditure			Remarks
Interest or dividend realised	Other cash receipts	Total Cash receipts	Payments	Balance in Cash		
6	7	8	9	10	11	
[b] Rs. as. p.	[a]Rs. as. p.	Rs. as. p.	Rs. as. p.	Rs. as. p.		
2 3 6	49 13 0	52 0 6	Nil	52 0 6	(a) Represents opening Balance. This corresponds to the figure intimated by the Accountant General, the difference from the closing balance of the preceding year being due to certain subsequent adjustments.	
					(b) The gross interest due on the Securities amounts to Rs. 3/- out of which a sum of Rs. 0-12-6 was deducted by way of income-tax and Surcharge. Refund has since been received and accounted for in the accounts for 1958-59.	
(d) 8 13 6	(c) 137 12 4	146 9 10	Nil	146 9 10	(c) Represents opening Balance. This corresponds to the figures intimated by the Accountant General; the difference from closing balance of the preceding year being due to certain subsequent adjustments.	
					(d) The gross interest due on the Securities amounts to Rs. 12/- out of which a sum of Rs. 3-2-6 was deducted by way of income-tax and surcharge. Refund has since been received and accounted for in the accounts for 1958-59.	
					(e) Represents opening Balance. This corresponds to the figures intimated by the Accountant General; the difference from the closing balance of the preceding year being due to certain subsequent adjustments.	
(f) 362 0 0	(e) (—)227 6 0	134 10 0	Interest remitted 265 0 0	(—)130 6 0	(f) The gross interest due on the Securities amounts to Rs. 487-8-0 out of which a sum of Rs. 125-8-0 was deducted by way of income-tax and surcharge. Refund has since been received of a sum of Rs. 123-12-6 exclusive of a bank commission of Rs. 0-10-6 and accounted for in the accounts for 1958-59. Action for claiming the balance of Rs. 1-1-0 has been taken.	

S.O. 1980—A list of Securities as on 31-3-1938 and abstract of accounts of interest for the year 1957-58 in Agent to the Treasurer of Charitable Endowments for India, under the Charitable Endowments Act, 1890 (6 of 1890)

Case No.	Name of Endowment	Persons in whose behalf held	Particulars of Securities	Total of Securities
1	2	3	4	5
			Rs.	Rs.
1	The 1937 Coronation Essay Prize Fund.	A Board of Trustees consisting of (a) the Head Master, Central High School, Mercara. (b) the Head Master, Govt. High School, Virajpet and (c) the Head Mistress, Girls High School, Mercara.	3% Conversion Loan 1946.	100.00
2	Yates Endowment Fund	The District Education Officer, Coorg, Mercara.	3% Conversion Loan 1946	400.00
3	The Koravanda Appiah's Educational Endowment Fund.	A Board of Trustees consisting of the following gentlemen with power to add to their number, if they find it necessary. (a) Sri Koravanda Mandanna. (b) Sri Kodira Uthappa (c) Sri Koravanda Chotmana (d) Sri C. Achutha Rao	3% Conversion Loan 1946 15,800.00 30% Second Victory Loan 1959-61. 300.00 P.O. National Savings Certificates 800.00 16,900.00	



respect of Charitable Endowments in Mysore Circle held by the Treasurer of Charitable Endowments, Mysore as are published for general information.

Cash.....Receipts

Cash.....Expenditure

Interest or dividend realised	Other cash receipts	Total Cash receipts	Payments	Balance in cash	Remarks
6	7	8	9	10	11
Rs.	(a) Rs.	Rs.	Rs.	Rs.	
4.50	52 0 6 = 52.03	56.53	Nil	56.53	(a) Represents opening Balance.
18.00 (b)	146 9 10 146.61	164.61	Nil	164.61	(b) Represents opening Balance.
720.00 (c) (- 130 6 0 - 130.37		589.63	Interest remitted. 350.00	239.63	(c) Represents opening Balance

[No. F. 1/1/59-SB-TCE].

A. BAKSI,  
Treasurer of Charitable  
Endowment for India.

## CENTRAL BOARD OF REVENUE

## ESTATE DUTY

*New Delhi, the 15th June 1959*

**S.O. 1381.**—In exercise of the powers conferred by the second proviso to sub-section (2) of section 4 of the Estate Duty Act, 1953 (34 of 1953) and in supersession of its notification No. 9/F. No. 21/7/55-ED dated the 1st February, 1956 as amended by its notifications No. 9/F. No. 21/46/57-ED, dated the 12th June, 1957 and No. 36/F. No. 21/46/57-ED, dated the 31st December, 1957 the Central Board of Revenue hereby directs that, subject to the pecuniary limits specified in the notification of the Central Board of Revenue No. 11-ED/21/52/57-ED, dated the 5th September, 1957 as amended by its notification No. 8/F. No. 12/1/59-ED, dated the 1st April, 1959 every Income-tax Officer appointed to be an Assistant Controller and posted to the Estate Duty *cum* Income-tax Circle, Nagpur, and every Inspecting Assistant Commissioner of Income-tax appointed to be a Deputy Controller and exercising jurisdiction over the said Circle shall perform his functions as Assistant Controller and Deputy Controller respectively in the said Circle to the exclusion of all other Assistant Controllers or Deputy Controllers in respect of the estates of all deceased persons who immediately before their death were being or would have been assessed to income-tax had they derived any taxable income in any Income-tax Circle the headquarters of which lies within the revenue districts of Durg, Balaghat, Raipur, Ambikapur, Bilaspur, Raigarh, Bastar, Jabalpur, Mandla, Narsinghpur, Chhindwara, Seoni, Satna, Rewa, Panna, Shadol, Tikamgarh, Sidhi, Chhattarpur of Madhya Pradesh and Nagpur and Bhandara of Bombay State.

2. This notification shall come into force with effect from the 15th June, 1959.

*Explanatory Note*

(This note is not part of the notification but is intended to be merely clarificatory).

This notification revises the jurisdiction of the Estate Duty *cum* Income-tax Circle, Nagpur. This is due to the creation of one more Estate Duty *cum* Income-tax Circle in the charge of the Controller of Estate Duty, Madhya Pradesh, Nagpur and Bhandara.

[No. 18/F. No. 21/38/58-ED.]

**S.O. 1382.**—In exercise of the powers conferred by the second proviso to sub-section (2) of section 4 of the Estate Duty Act, 1953 (34 of 1953), the Central Board of Revenue hereby directs that, subject to the pecuniary limits specified in the notification of the Central Board of Revenue No. 11-ED/21/52/57-ED, dated the 5th September, 1957 as amended by its notification No. 8/F. No. 12/1/59-ED, dated the 1st April, 1959 every Income-tax Officer appointed to be an Assistant Controller and posted to the Estate Duty *cum* Income-tax Circle, Indore, and every Inspecting Assistant Commissioner of Income-tax appointed to be a Deputy Controller and exercising jurisdiction over the said Circle shall perform his functions as Assistant Controller and Deputy Controller respectively in the said Circle to the exclusion of all other Assistant Controllers or Deputy Controllers in respect of the estates of all deceased persons who immediately before their death were being or would have been assessed to income-tax had they derived any taxable income in any Income-tax Circle the headquarters of which lies within the revenue districts of Indore, Dhar, Dewas, Nimar (Khargaon), Ujjain, Rajgarh, Shajapur, Ratlam, Mandasaur, Jhabua, Gird, Morena, Bhind, Datla, Shivpuri, Guna, Schore, Raisen, Bhisla, Nimar (Khandwa), Hoshangabad, Betul, Sagar and Damoh.

2. This notification shall come into force with effect from the 15th June, 1959.

*Explanatory Note*

(This note is not part of the notification but is intended to be merely clarificatory).

This notification has become necessary due to the creation of a new Estate Duty *cum* Income-tax Circle at Indore.

[No. 19/F. No. 21/38/58-ED.]

**S.O. 1383.**—In exercise of the powers conferred by the second proviso to sub-section (2) of section 4 of the Estate Duty Act, 1953 (34 of 1953) the Central Board of Revenue hereby makes the following amendments in its notification No. 22/F. No. 34/3/57-ED, dated the 25th January, 1958, namely:—

In the said notification,—

- (i) for the words "State Duty *cum* Income-tax Circle, Nagpur", the words "Estate Duty *cum* Income-tax Circles, Nagpur and Indore" shall be substituted;
- (ii) for the words "In the said Circle", the words "in the said Circles" shall be substituted.

2. This notification shall have effect from the 15th June, 1959.

*Explanatory Note*

(This note is not part of the amendments but is intended to be merely clarificatory).

This notification has become necessary due to the creation of a new Estate Duty *cum* Income-tax Circle at Indore.

[No. 20/F. No. 21/38/58-ED.]

D. SUBRAMANIAN, Secy.

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**CORRIGENDUM**

**INCOME-TAX**

*New Delhi, the 8th June 1959*

**S.O. 1384.**—In exercise of the powers conferred by sub-section (6) of Section 5 of the Indian Income-Tax Act 1922 (11 of 1922) the Central Board of Revenue hereby directs that in their notification S.O. 555 No. 31-Income-tax dated 5th March, 1959 at page 628 of Part II Section 3(ii) of the Gazette of India dated 14th March 1959

For "This notification shall take effect from the 1st April 1959" Read  
"This notification shall take effect from the 1st April 1957".

[No. 72(F. No. 55/287/58-IT).]

D. V. JUNNARKAR, Under Secy.

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**MINISTRY OF COMMERCE AND INDUSTRY**

*New Delhi, the 10th June, 1959*

**S.O. 1385.**—In exercise of the powers conferred by section 12 of the Cotton Ginning and Pressing Factories Act, 1925 (12 of 1925), the Central Government hereby makes the following further amendment in the Indian Cotton Ginning and Pressing Factories Rules, 1925, namely:—

In the said Rules in clause (1) of rule 7, after the words "English Figures and letters", the words "shall be so marked in indelible ink" shall be inserted.

[No. 25(45)-TEX(A)/57-1.]

V. V. NENE, Under Secy.

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*New Delhi, the 20th June 1959*

**S.O. 1386.**—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the

following further amendment in the Textile (Production by Powerlooms) Control Order, 1956 namely:—

In the said Order, in Form B, the following 'note' shall be inserted below item 3, namely:—

"NOTE.—The Number stated at the top should be marked on each powerloom by the holder of this certificate".

[No. 23(3)Tex.(D)/59.]

M. S. SADASIVAN, Under Secy.

#### COFFEE CONTROL

*New Delhi, the 11th June, 1959*

**S.O. 1387.**—In partial modification of this Ministry's Notification No. S.O. 951, dated the 23rd April, 1959, it is hereby notified that Shri K. Srinivasan, Chairman, Coffee Board, is granted refused leave for 40 days with effect from the 31st March, 1959.

[No. 9(49)Plant(B)/58.]

A. J. KIDWAI, Dy. Secy.

#### ORDER

*New Delhi, the 9th June 1959*

**S.O. 1388.**—In pursuance of clause (C) of rule 2 of the Development Councils (Procedural) Rules, 1952, and in supersession of the Order of the Government of India in the Ministry of Commerce and Industry S.R.O. 81, dated the 31st December, 1954, the Central Government hereby appoints Shri P. K. Ray, Deputy Director, Directorate of Sugar and Vanaspati, Department of Food, New Delhi to carry on the functions of Secretary to the Development Council for Sugar established by the Order of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 2002, dated the 24th September, 1958, *vice* Shri Gyan Chandra.

[No. 4(43)IA(II)(G)/59.]

*New Delhi, the 15th June 1959*

**S.O. 1389.—IDRA/6/14.**—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Dr. D. V. Karmarkar, Indian Standard Institution, 9, Mathura Road, New Delhi, as a member of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry S.O. 1346, dated the 1st July, 1958, for the scheduled industries engaged in the manufacture or production of Food Processing Industries, and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the Said Order, under the category of members "being persons who, in the opinion of the Central Government, are capable of representing the interests of consumers of goods manufactured and produced by the said scheduled industries, for entry No. 15 relating to Shri C. N. Modawal, the following shall be substituted, namely:—

"15. Dr. D. V. Karmarkar, Indian Standard Institution, Manak Bhavan, 9, Mathura Road, New Delhi-1.

[No. 4(36)IA(II)(G)/58.]

A. K. CHAKRAVARTI, Under Secy.

#### ORDER

*New Delhi, the 10th June 1959*

**S.O. 1390.**—In exercise of the powers conferred on me under Clause 3 of the Motor Cars (Distribution and Sale) Control Order, 1959, I hereby make the following order, namely:—

- (i) Each manufacturer shall reserve for priority allocation by the Central Government twenty-five motor cars during the quarter ending 31st July, 1959 and during each succeeding quarter.

(ii) Subject to the provisions of paras (i) and (iii), the quota for distribution in any State during each quarter shall bear the same proportion to the total availability of motor cars with the manufacturer for distribution during the quarter, as the number of motor cars released for distribution in that State during the calendar years 1956 or 1957, whichever was higher, shall bear to the total of such numbers in the different States in the country.

(iii) Each manufacturer shall reserve for priority allocation by each State Government 5% of the number of motor cars allocated for distribution within that State during each quarter, provided that such allocation in any State is not less than one per quarter or more than five per quarter.

[No. IAM/59/114.]

V. P. S. MENON, Controller.

## MINISTRY OF STEEL, MINES AND FUEL

(Department of Iron and Steel).

New Delhi, the 15th June 1959

**S.O. 1391—ESS./COMM/I&S/15(1)/AM(5).**—The following Notification issued by the Iron and Steel Controller under Clause 15(1) of the Iron and Steel (Control) Order, 1956 is published for general information.

### “NOTIFICATION

In exercise of the powers conferred by Sub-Section 1 of Clause 15 of the Iron and Steel (Control), Order, 1956 and with the approval of the Union Government the Iron and Steel Controller hereby notifies the following sectional extras for Metric Sections of Structural *viz.*, Angles in amendment to those published under S.O. 621/ESS.COMM/I&S/15(1)/AM(1)/59 in Part II Section 3(ii) of the Gazette of India dated 21st March 1959, as amended by S.O. No. 1296 dated the 6th June, 1959.

### ADDENDUM

Metric Sections		Extra per ton	
		Long Ton.	Metric Ton.
		Rs.	Rs.
1. Equal Angles 30 × 30 × 3mm . . . . .		38.33	37.72
2. Unequal Angles 30 × 20 × 3mm . . . . .		59.67	58.73
<i>CORRIGENDUM</i>			
1. Equal Angles 25 × 25 × 3mm . . . . .	<i>For</i>	66.67	65.62
	<i>Read</i>	46.67	45.93
35 × 35 × 3mm . . . . .	<i>For</i>	63.33	62.33
	<i>Read</i>	38.33	37.72
40 × 40 × 3mm . . . . .	<i>For</i>	55.00	54.13
	<i>Read</i>	28.33	27.88
45 × 45 × 3mm . . . . .	<i>For</i>	55.00	54.13
	<i>Read</i>	28.33	27.88
50 × 50 × 3mm . . . . .	<i>For</i>	55.00	54.13
	<i>Read</i>	18.33	18.04
2. Unequal Angles			
40 × 25 × 3mm . . . . .	<i>For</i>	76.33	75.12
	<i>Read</i>	49.67	48.88
45 × 30 × 3mm . . . . .	<i>For</i>	76.33	75.12
	<i>Read</i>	49.67	48.88
50 × 30 × 3mm . . . . .	<i>For</i>	76.33	75.12
	<i>Read</i>	39.67	39.04

S. C. MUKHERJEE,  
Deputy Iron & Steel Controller.”

[No. F.SC(A)-2(300)/58]

J. S. AL, Under Secy.

**MINISTRY OF FOOD AND AGRICULTURE**  
(Agriculture)

(Indian Council of Agricultural Research)

*New Delhi, the 28th May 1959*

**S.O. 1392.**—Under Section 4(x) of the Indian Cotton Cess Act, 1923 (14 of 1923), the Central Government are pleased to appoint Shri R. B. Mamle Desai, Handiganoor (Dharwar Distt.), Mysore State to be a member of the Indian Central Cotton Committee, Bombay upto 31st March, 1961 *vice* late Shri Sivanagowda Mallikarjuna Gowda Patil.

[No. 1-12/58-Com.II.]

AJUDHIA PRASADA, Under Secy.

**MINISTRY OF TRANSPORT & COMMUNICATIONS**

(Department of Transport)

(Transport Wing)

PORTS

*New Delhi, the 9th May 1959*

**S.O. 1393.**—In pursuance of sub-section (3) of section (6) of the Bombay Port Trust Act, 1879, (Bombay Act 6 of 1879), the Central Government hereby publishes the following return received from the Secretary, Bombay Chamber of Commerce & Industry, Bombay, namely:—

*Return showing the name of the gentleman elected by the Bombay Chamber of Commerce and Industry in accordance with the provisions of the Bombay Port Trust Act, to be a member of the Board of Trustees of the Port of Bombay during the absence on leave of Shri E. A. Jenkins.*

Date of election	Name of gentleman	Panel of commercial interests represented
18th May 1959	Shri N. H. G. Grant Mackinnon Mackenzie & Co. Private Ltd.	Shipping.

[No. 8-PG(47)/59.]

MISS I. INDIRA, Under Secy.

(Department of Transport)

(Transport Wing)

(MERCHANT SHIPPING)

*New Delhi, the 9th June 1959*

**S.O. 1394.**—In pursuance of sub-section (3) of section 246 of the Indian Merchant Shipping Act, 1923 (21 of 1923), the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Department of Commerce No. 70-M.I.(30)/29, dated the 18th November, 1933 relating to the appointment of officers to whom notice of shipping casualties should be given, namely:—

In the Schedule annexed to the said notification, in the entries in the column headed 'officers' against the Port of Calcutta, for the entry "(1) The Deputy Conservator of the Port of Calcutta", the following entry shall be substituted namely:—

"(1) The Deputy Conservator of the Port of Calcutta and the Senior Assistant Conservator of the Port of Calcutta."

[No. 33-MA(1)/59.]

A. V. SUBRAMANIA IYER, Dy. Secy.

**MINISTRY OF WORKS, HOUSING & SUPPLY***New Delhi, the 13th May 1959*

**S.O. 1395.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules for regulating the recruitment to the posts of Junior Field Officers (Technical) in the headquarters office of the Director General of Supplies and Disposals, New Delhi.

**RULES**

**1. Short title.**—These rules may be called the Junior Field Officer (Technical) (Directorate General of Supplies and Disposals) Recruitment Rules, 1959.

**2 Recruitment and other matters relating thereto.**—The number, classification, pay scales, method of recruitment and other matters pertaining to the posts of Junior Field Officers (Technical) in the headquarters office of the Directorate General of Supplies and Disposals, New Delhi, shall be as shown in the relevant columns of the schedule appended to these rules.

THE

## Recruitment Rules for the post of Junior Field Officer (Technical)

Name of the post	No. of post	The classification and whether Gazetted or non-gazetted	Prescribed scale of pay	Whether a Selection post or non-selection post	Age limit for direct recruitment
1	2	3	4	5	6
Junior Field Officer (Technical)	14	Class III Non-Ministerial Non-Gazetted.	Rs. 250—10— 300—15—450— 25/2—500.	Selection	28 years (Relaxable in the case of persons belong to Scheduled Castes / Tribes etc. in accordance with the orders issued by the Govt. from time to time). Relaxable in case of persons already in Government service.

NOTE :—No male candidate who has more than one wife living, and no female candidate, provided that the Government of India, after being satisfied that there of this rule.



## SCHEDULE

in the Headquarters Office under D. G. S. & D.

Educational & other qualifications required	Whether age and educational qualifications prescribed will apply in case of recruitment by promotion or transfer	Period of trial if any	Method of recruitment <i>i.e.</i> whether by direct recruitment, by promotion or by transfer and percentage of vacancies to be filled by various modes	In case of vacancies filled by promotion, transfer or transfers are to be made	Circumstances in which U.P.S.C. is to be consulted in making recruitment	Remarks
7	8	9	10	11	12	13
Degree in Engineering or equivalent Diploma from recognised institute. Should also have experience for at least 3 years in a manufacturing Unit or practical experience for 4 years in a Workshop of repute.	Will not apply in the case of permanent/quasi-permanent employees eligible for promotion.	Six months.	(a) By promotion from technical departmental candidates mentioned in column 11 who have served for at least 2 years in the department. If no suitable candidates are available for promotion by direct recruitment.	Examiners of Stores Technical Assistants & Estimators including such of these categories as are working as Junior Field Officers in the Progress Wing.	Not applicable.	

who has married a person having already a wife living shall be eligible for appointment are special grounds for doing so, exempt any such candidate from the operation

[No. ES.II-49(16)/58.]

R. RAJAGOPALAN, Under Secy.

## ERRATUM

The Ministry of Works, Housing and Supply's Notification No. ES.II-49(16)/58, dated 13th May, 1959, appearing in the Gazette of India Part II—Section 3(ii), dated 23rd May 1959, as S.O. 1167 on page 1216, may be treated as cancelled.

**MINISTRY OF REHABILITATION****(Office of the Chief Settlement Commissioner)***New Delhi, the 20th June 1959*

**S.O. 1396.**—In exercise of the powers conferred by clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (No. 44 of 1954), the Central Government appoints the officer for the time being holding the post of Managing Officer, Jullundur as Managing Officer for Kapurthala District and for Mahasu, Sirmur and Bilaspur Districts, for the custody and management and disposal of compensation pool.

[No. 4(97)-Admn(Prop)/58.]

H. S. NAIR, Under Secy.

**MINISTRY OF LABOUR & EMPLOYMENT***New Delhi, the 11th June 1959*

**S.O. 1397.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following awards of the Central Government Industrial Tribunal, Delhi in the matter of applications under section 33A of the said Act from certain workmen of the Palana Colliery.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI****PRESENT**

Shri E. Krishna Murti, Central Government Industrial Tribunal.

25th May, 1959.

**APPLICATIONS UNDER SECTION 33A, INDUSTRIAL DISPUTES ACT, 1947.**

- I.D. No. 252 of 1959—Between Bhopal Singh, S/o. Gulab Singh, workman.
- I.D. No. 253 of 1959—Between Lalu Ram, S/o. Anna Ram, workman.
- I.D. No. 254 of 1959—Between Smt. Meeran, D/o. Bherun Ram, Wagon loader
- I.D. No. 255 of 1959—Between Dula Ram, S/o. Sanwata Ram, workman
- I.D. No. 256 of 1959—Between Smt. Ridhu, D/o. Kana Ram, Wagon Loader.
- I.D. No. 257 of 1959—Between Hema Ram, S/o. Shera Ram, workman.
- I.D. No. 258 of 1959—Between Thakar Ram, S/o. Jeevan Ram, workman.
- I.D. No. 259 of 1959—Between Dhura Ram, S/o. Ameda Ram, workman.
- I.D. No. 260 of 1959—Between Ganga Ram, S/o. Shri Ram, workman.
- I.D. No. 261 of 1959—Between Nimba Ram, S/o. Nanu Ram, workman.
- I.D. No. 262 of 1959—Between Ram Lal, S/o. Pooran Ram, workman.
- I.D. No. 263 of 1959—Between Moola Ram, S/o. Imarta Ram, workman.
- I.D. No. 264 of 1959—Between Jabardin, S/o. Jamal Khan, workman.
- I.D. No. 265 of 1959—Between Smt. Hemi, D/o. Bhikha Ram, Mazdoorin
- I.D. No. 266 of 1959—Between Natha Ram, S/o. Krishna Ram, workman.
- I.D. No. 267 of 1959—Between Deepa Ram, S/o. Asha Ram, Coal Cutter.
- I.D. No. 268 of 1959—Between Mangla Ram, S/o. Nanda Ram, workman.
- I.D. No. 269 of 1959—Between Ramnain Ram, S/o. Shri Ram, workman.
- I.D. No. 270 of 1959—Between Bhera Ram, S/o. Udaram, workman.
- I.D. No. 271 of 1959—Between Ram Swaroop Ram, S/o. Narainram, workman.
- I.D. No. 272 of 1959—Between Sardara Ram, S/o. Amara Ram, workman.
- I.D. No. 273 of 1959—Between Ratna Ram, S/o. Kheta Ram, workman.
- I.D. No. 274 of 1959—Between Purbe Ram, S/o. Dhanna Ram, workman
- I.D. No. 275 of 1959—Between Hema Ram, S/o. Kheta Ram, Coal Cutter.
- I.D. No. 276 of 1959—Between Krishna Ram, S/o. Asha Ram, workman.
- I.D. No. 277 of 1959—Between Guna Ram, S/o. Kheta Ram, Coal Cutter.
- I.D. No. 278 of 1959—Between Smt. Gogli, D/o. Jetha Ram, Wagon Loader.
- I.D. No. 279 of 1959—Between Smt. Soni, D/o. Panna Ram, Wagon Loader.

- I.D. No. 280 of 1959—Between Smt. Panki, D/o. Kumbha Ram, Wagon Loader.  
 I.D. No. 281 of 1959—Between Kishna Ram, S/o. Malla Ram, workman.  
 I.D. No. 282 of 1959—Between Smt. Goverli, D/o. Hanuta Ram, Wagon Loader.  
 I.D. No. 283 of 1959—Between Taja Ram, S/o. Dana Ram, workman.  
 I.D. No. 284 of 1959—Between Noora Ram, S/o. Mangla Ram, workman.  
 I.D. No. 285 of 1959—Between Shera Ram, S/o. Kheta Ram, workman.  
 I.D. No. 286 of 1959—Between Narain Ram, S/o. Dhura Ram, workman.  
 I.D. No. 287 of 1959—Between Udai Ram, S/o. Jaisha Ram, workman.  
 I.D. No. 288 of 1959—Between Gulabrai, S/o. Dularam, workman.  
 I.D. No. 289 of 1959—Between Phusa Ram, S/o. Jawana Ram, workman.  
 I.D. No. 290 of 1959—Between Chima Ram, S/o. Shri Kaloo Ram, workman.  
 I.D. No. 291 of 1959—Between Kana Ram, S/o. Shri Bheru Ram, workman.  
 I.D. No. 292 of 1959—Between Gopi Ram, S/o. Shri Nanak Ram, workman.  
 I.D. No. 293 of 1959—Between Jettha Ram, S/o. Shri Poorba Ram, workman.  
 I.D. No. 294 of 1959—Between Ashu Ram, S/o. Poorkha Ram, workman.  
 I.D. No. 295 of 1959—Between Peer Bux, S/o. Jamal Khan, workman.  
 I.D. No. 296 of 1959—Between Moti Ram, S/o. Nanda Ram, workman.  
 I.D. No. 297 of 1959—Between Ashu Ram, S/o. Dalu Ram, workman.  
 I.D. No. 298 of 1959—Between Smt. Lichhman, D/o. Khinya Ram, Wagon Loader.  
 I.D. No. 299 of 1959—Between Dhura Ram, S/o. Kishna Ram, Coal Cutter.  
 I.D. No. 300 of 1959—Between Sugna Ram, S/o. Lichha Ram, Coal Cutter.  
 I.D. No. 301 of 1959—Between Smt. Khetu, D/o. Tiku Ram, Wagon Loader.  
 I.D. No. 302 of 1959—Between Jiwan Ram, S/o. Balu Ram, Mining Sirdar.  
 I.D. No. 303 of 1959—Between Dhura Ram, S/o. Bheru Ram, workman.  
 I.D. No. 304 of 1959—Between Akoora Ram, S/o. Adoo Ram, workman.  
 I.D. No. 337 of 1959—Between Puran Ram, S/o. Lachman Ram, Onesetter,  
 Palana Colliery, c/o. Palana Colliery Mazdoor Union, Administrative Office,  
 Khajanchi Building, K.E.M. Road, Bikaner.....PETITIONERS.

AND

The Management of Palana Colliery, Palana (Rajasthan).....  
 OPPOSITE PARTY.

IN THE MATTER OF Reference I.D. No. 81 of 1958

Shri Jawahar Lal for the petitioners.

Shri M. G. Fell for the opposite party.

#### ORDER

These several petitions have been filed under Section 33A of the Industrial Disputes Act.

2. The allegations in the several petitions are practically the same, and they are to the effect, that the management had altered to the prejudice of the several petitioners the conditions of service applicable to them immediately before the commencement of the proceedings, that the petitioners have been obliged to work on Sundays, namely the Colliery rest days, on the respective dates mentioned in the several petitions in contravention of Standing Order 5 and Schedule B, and of Sections 28 and 33 of the Mines Act, that the above said alteration of the conditions of service is unjustified, that there is a contravention of Section 33, and that the several petitioners must be given relief.

3. The contention on behalf of the opposite party is, that there has been no infringement of the general rule, that Sunday is a rest day, that work was required to be done on certain Sundays due to certain circumstances, that this is permitted by the Mines Act, that there is no alteration of the conditions of service to the prejudice of the petitioners, that there has been no contravention of Section 33, that these petitions are not maintainable, and that the petitions should be dismissed.

4. The issues, that arise for determination, are:—

(1) Whether the petitions, as brought, are maintainable?

- (2) Whether there has been an alteration of the conditions of service to the prejudice of the several petitioners, as alleged by them?
- (3) To what relief, if any, are the several petitioners entitled?

*Issue No. 1.*

5. These several petitions have been tried together at the request of parties, and are disposed of by a common judgment.

6. According to the case of the several petitioners, they were obliged to work on certain Sundays, the dates of which are more particularly specified in the several petitions. The contention on behalf of the petitioners is, that Sunday is observed as the day of rest in the Colliery according to the Standing Orders. The petitioners, being made to work on the Sundays in question, had suffered prejudice, and this is also opposed to the Mines Act, and they must be awarded relief accordingly.

7. A number of documents have been filed on behalf of the workmen. Ext. W/3 is a notice, that was sent to the management on behalf of the Palana Colliery Mazdoor Union about compensatory day of rest, and payment of over-time according to the Mines Act of 1952. Ext. W/1 is the reply thereto by the Manager, pointing out, that the notice with regard to compensatory day of rest was correct according to law.

8. The parties are at dispute as to the payment of over-time wages for working on Sundays. As Ext. W/1 shows, the management were willing to give a compensatory day of rest for working on a rest day. The contention on behalf of the petitioners is, that they are also entitled to get in addition over-time wages. They put-forward a claim for payment of overtime wages for working on rest days, Sundays. Ext. W/8 is a copy of the letter dated 26th November, 1958, by the Union referring to the matter of non-payment of overtime wages according to the Indian Mines Act. The Union requested the management to supply the details as to work that had been taken from the workers of the Colliery on Colliery rest days. Exts. W/5, 6 and 7 are bills for payment of overtime wages. Ext. W/7 contains an endorsement by the Manager dated 1st November, 1958, as follows:—

“Submitted: The following workmen worked on 19th October, 1958, Sunday and want overtime. Since they can be given rest day on any working day, they like, the question of overtime does not arise.”

Ext. W/10 is a letter from the Chief Inspector of Mines in India to the Mines Manager, Palana Colliery, calling for an explanation in regard to the work done on rest days, falling on 19th and 26th October, 1958, and on 2nd, 16th, and 23rd November, 1958. It is pointed out in the letter, that no intimation was sent as required under Section 38(2) of the Mines Act.

9. At the trial of these petitions, the controversy turned on the question of payment of overtime wages to the several petitioners, from whom work was taken on Colliery rest days. The contention of Dr. Jawahar Lal is, that, according to the Mines Act, the several petitioners, from whom work was taken on Colliery rest day, are entitled to the compensatory day of rest and also overtime wages. Under Section 28 of the Mines Act no person shall be allowed to work in a mine on more than six days in any one week. Section 29 provides, that where work is taken on any day of rest as a result of action taken under Section 38, such workman shall be allowed compensatory days of rest equal in number to the days of rest of which he has been deprived, as provided in the section. Section 38 lays down, that in case of an emergency, the Manager may permit persons to be employed in contravention of Section 28. Section 33 of the Mines Act provides as follows:—

- “(1) Where a person employed in a mine works therein for more than forty-eight hours in any week, whether above or below ground, he shall in respect of such overtime work be entitled to wages at the rate of twice his ordinary rate of wages if he works below ground, and at one and a half times that rate if he works above ground.
- (2) Where any person employed in a mine is paid on piece-rate basis, the Central Government shall, in consultation with the employer concerned and the representatives of the persons employed in the mine, fix for the purposes of this section time rates which shall, as nearly as possible be equivalent to the average rate of earnings of the persons so employed, and the rates so fixed shall be deemed to be the ordinary rates of wages of such persons.

- (3) For the purposes of this section 'ordinary rate of wages' means the basic wages plus such allowances including the cash equivalent of the advantage accruing through the sale on a concessional basis of foodgrains, and other articles as persons employed in a mine may, for the time being, be entitled to, but does not include a bonus.
- (4) The Central Government may prescribe the registers to be maintained in a mine for the purpose of securing compliance with the provisions of this section."

In view of the provisions of Sections 28 and 33 of the Mines Act a workman, working in a mine, is entitled to overtime wages also in addition to compensatory day of rest for working on a Colliery rest day, and for working more than 48 hours in a week. The management were not justified in depriving the several petitioners of the overtime wages due to them in accordance with Section 33. In the course of trial, on behalf of the management a memorandum, marked as Ext. M/1, was filed, and it is in the following terms:—

"This is to say that the management is willing to pay overtime for the work done Sundays."

In view of the said memorandum, it is clear, that the management have now realised their obligation to pay overtime wages in accordance with Section 33 of the Mines Act. The non-payment of such wages amounts to a contravention of the conditions of service guaranteed by statute, and the action of the management in refusing to pay overtime wages in addition to giving the Colliery workmen, who worked on Colliery rest days compensatory day in lieu of such rest day, does amount to an alteration of the conditions of service to the prejudice of the petitioners. Such alteration is not justified, and is opposed to the provisions of the Mines Act. I find, that the several petitioners, from whom work was taken on the Colliery rest days, are not only entitled to compensatory rest days, as mentioned in Section 28, but also to payment of overtime wages as laid down in Section 33 of the Mines Act.

*Issue No. 2.*

10 It is clear, that the management, in refusing to abide by the provisions of the Mines Act, altered the conditions of service of the several petitioners to their prejudice, and this amounts to a contravention of Section 33. The several petitions, as brought, are maintainable.

*Issue No. 3.*

11. In the result, all the petitions are allowed, and the several petitioners shall recover from the management overtime wages in accordance with the provisions of Section 33 of the Mines Act, for working on the Colliery rest days, as specified in the several petitions. There will be no order as to costs in all the petitions

12. An award is passed in each of the several petitions in the above terms. Nine pages.

*The 25th May, 1959.*

E. KRISHNA MURTI,  
Central Government Industrial Tribunal, Delhi.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI.

PRESENT

Shri E. Krishna Murti, Central Government Industrial Tribunal.

25th May, 1959 ..

APPLICATIONS U/S. 33A OF THE INDUSTRIAL DISPUTES ACT, 1947.

I.D. No. 210 of 1959—Between Kalu Ram, S/o. Shera Ram	} Wagon Loaders, Palana Colliery, Palana, C/O. Palana Colliery Maz- door Union, Administrative Office Khajanchi Building, K.E.M. Road, Bikaner—Petitioners.
I.D. No. 211 of 1959—Between Narain Ram, S/o. Dhura Ram	
I.D. No. 212 of 1959—Between Dhura Ram, S/o. Ameda Ram	
I.D. No. 213 of 1959—Between Jetha Ram, S/o. Poorba Ram	

## AND

The Management, Palana Colliery, Palana—*Opposite Party.*

IN THE MATTER OF REFERENCE I.D. No. 81 of 1958.

Shri Jawahar Lal—*for the Petitioner.*

Shri M. G. Fell—*for the Opposite Party.*

## ORDER

These several petitions have all been filed under Section 33A of the Industrial Disputes Act.

2. The allegations in the several petitions are identical, and it is alleged, that the respective petitioners were permanent workers of the Colliery, that they were Wagon Loaders by designation, that they are shown by this designation in the list of permanent workmen, that the opposite party, the management of Palana Colliery altered to the prejudice of the several petitioners the conditions of service applicable to them immediately before the commencement of the proceedings by making them Trammers, that they have been converted from piece rated permanent wagon loaders to daily rated unskilled Trammers, that this was done with a view to victimise the several petitioners, and that the several petitioners should be restored to their old jobs of Wagon Loaders.

3. The contention on behalf of the opposite party is, that the applicants' conditions of service have not been changed, that no monetary damage has been suffered by reason of the transfer, that it is the right of the management to transfer a person from one kind of job to another according to exigencies of work, that it is true that the several petitioners were classified as permanent workmen of the Colliery, that there has been no contravention of Section 33, and that the several complaints should be dismissed.

4. The issues, that arise for determination, are:—

- (1) Whether there is a contravention of Section 33 of the Industrial Disputes Act, and whether these several petitions are maintainable?
- (2) Whether there is an alteration of the conditions of service to the prejudice of the several petitioners, as alleged by them?
- (3) To what relief, if any, are the several petitioners entitled?

Issue No. 2

5. All these petitions have been heard together at the request of parties, and are disposed of by a common judgment.

6. It is admitted in the counters filed on behalf of the management, that the several petitioners had been included in the list of permanent workmen of the Colliery. The contention on behalf of the petitioners is, that their designation was Wagon Loaders, that they were shown as such in the list of permanent workmen, that they were converted into daily rated Trammers, that this alteration has prejudiced their conditions of service, and that the management must be directed to restore them to the posts of wagon loaders. The management assert, that it is their right to transfer a workman from one job to another according to exigencies of business, and that the petitioners had not suffered any monetary loss by reason of the change. There is no denial of the fact, that these several petitioners were included in the list of permanent workmen, and that their designation was that of wagon loaders. In my opinion, the contention on behalf of the petitioners is well founded. The plea on behalf of the management, that the change, from the designation of wagon loaders into that of Trammers, does not adversely affect the several petitioners, is not entitled to weight. Under the Award of the All India Industrial Tribunal (Colliery Disputes) the wagon loaders are treated as piece rated workmen, and are entitled to receive wages as laid down in the Award, as modified by the Labour Appellate Tribunal. To convert piece rated workers into daily rated workers does certainly amount to a change in the conditions of service to their prejudice. In the Award of the All India Industrial Tribunal (Colliery Disputes) in paragraph 514 there is mention of the distinction between the unskilled, semi-skilled, or highly skilled workmen. Applying the test laid down therein, categories No. 3 to 6 in the said Award are treated as semi-skilled. It is admitted before me by Mr. Fell for the management, that wagon loaders are in category No. 5. This means, that they are semi-skilled workmen. In the said Award unskilled workers are included in categories No. 1 and

2. To treat wagon loaders, who are semi-skilled workmen as daily rated trammers, who are in the category of unskilled workmen, cannot be justified, and does adversely affect the conditions of service of the several petitioners. No doubt, the management have the right to transfer a workman from one job to another provided the change, does not affect his conditions of service to his prejudice. The contention on behalf of the several petitioners in these petitions, that the change does involve reduction in wages, and that, by being converted to daily rated mazdoors, there is reduction in emoluments which they would have otherwise earned as piece rated wagon loaders, cannot be over-looked. As urged by Dr. Jawahar Lal for the petitioners, there is a danger of the several petitioners being treated as casual workmen if they are put in the category of unskilled daily rated mazdoors in spite of their having been placed in the list of permanent piece rated wagon loaders. All circumstances considered, my finding is, that the action of the management does amount to an alteration in the conditions of service of the several petitioners to their prejudice, and that it is not justified on the material on record.

*Issue No. 1.*

7. In view of my finding as above, these petitions are maintainable. The management have not obtained approval of their action and did not introduce the change as a result of any proceeding under Section 9A or under Section 33. There is not even a petition for approval of the action of the management under Section 33(2) of the Act. I find that there is a contravention of Section 33, and that the petitions, as brought, are maintainable.

*Issue No. 3.*

8. In the result, the several petitions are allowed, and the respective petitioners shall be restored to their old posts and placed in the category of piece rated wagon loaders in the list of permanent workmen, and their inclusion in the category of daily rated Trammers shall be put an end to. They will be paid wages according to the wages applicable to the petitioners as piece rated wagon loaders.

9. There will be no order as to costs in all the petitions.

10. An award is passed in each of the several petitions in the above terms.

(Five pages).

*The 25th May, 1959.*

E. KRISHNA MURTI,  
Central Government Industrial Tribunal, Delhi.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL: DELHI.

PRESENT:

E. KRISHNA MURTI,  
Central Govt. Industrial Tribunal

25th May, 1959

APPLICATIONS UNDER SECTION 33A, INDUSTRIAL DISPUTES ACT, 1947.

I.D. No. 215 of 1959.

Between Phusa Ram S/o Adu Ram

I.D. No. 216 of 1959.

Between Kumba Ram S/o Phusa Ram

I.D. No. 217 of 1959.

Between Narain Ram S/o Pira Ram

I.D. No. 218 of 1959.

Between Asu Ram S/o Sawanta Ram

I.D. No. 219 of 1959.

Between Dhura Ram S/o Nanda Ram

I.D. No. 220 of 1959.

Between Hira Ram S/o Sawant Ram

I.D. No. 221 of 1959.

Between Hira Ram S/o Nanda Ram

Coal Cutter, Working as  
Truck Loading Mazdoor of  
Palana Colliery.

C/o  
Palana Colliery Mazdoor  
Union, Administrative Office,  
Khajanchi Building, K.E.M.  
Road, Bikaner—Petitioners.

## AND

The Management of Palana Colliery, Palana.—*Opposite Party.*

IN THE MATTER OF REFERENCE I.D. No. 81 OF 1958.

Shri Jawahar Lal—*for the Petitioners.*

Shri M. G. Fell—*for the Opposite Party.*

## ORDER

These several petitions have been filed under Section 33A of the Industrial Disputes Act.

2. The allegations in all the petitions are practically to the same effect, and it is alleged, that the opposite party, the management of Palana Colliery, altered to the prejudice of the several petitioners the conditions of service applicable to them immediately before the commencement of the proceedings by imposing compulsory lay off on the several petitioners on 15th January 1959, that the several petitioners worked in full on that day, that the action of the management is *mala fide*, that there has been a contravention of Section 33 of the Industrial Disputes Act, and that the petitioners should be awarded suitable relief.

3. The contention on behalf of the management is, that the several petitions, as brought, are not maintainable, that the lay off is justified, that, in spite of the several petitioners being informed, that there was no work for them on the day in question and that they had been laid off, they disobeyed the instructions, that Section 33 has not been violated in any manner, and that the several petitioners are not entitled to any relief.

4. The issues, that arise for determination, are:—

- (1) Whether the petitions, as brought, are maintainable?
- (2) Whether the lay off of the several petitioners is lawful and justified?
- (3) Whether the several petitioners are entitled to be paid full wages for the day in question, as claimed?
- (4) To what relief, if any, are the petitioners entitled?

*Issue No. 2*

5 These several petitions have been tried together at the request of parties, and are disposed of by a common judgment.

6. According to the case of the several petitioners they were not given full wages in spite of their having worked the whole day on 15th January 1959. Their contention is, that non-payment of full wages for that day amounts to alteration in the conditions of service to their prejudice, and that the management should be directed to pay them full wages for that day. The case of the management is, that they were laid off on the 15th, that such lay off is justified, and that they are not entitled to receive anything more than 50% of the wages for that day in accordance with Section 25C of the Industrial Disputes Act. Owing to the interrupted power supply, and owing to non-receipt of wagons, and owing to the truck having been sent to Bikaner for repairs, wagon-loading could not be carried on as usual. Large stocks of coal had accumulated, and, therefore, the several petitioners, who were doing the work of wagon loaders at the time, were laid off. That these several petitioners were doing the work of wagon loaders and truck loaders at the material date is not disputed. No doubt, the case of the several petitioners is, that they were piece rated coal cutters, and that they had been wrongly placed in the category of daily rated wagon loaders and truck loaders, and forced to work on the surface. We are not concerned in these petitions with this part of the petitioners' complaint. We are only concerned with the events that happened on the 15th. The case of the management is, that the several petitioners were working as truck loaders at the time, and that, in spite of the fact, that the several petitioners were informed, that there was no work for them on that day, they deliberately disobeyed the order of the management, and worked with the masons and others on the construction of the Pit Head Bath, for which the several petitioners were not required as the full complement of workmen on that



job had already been engaged. Exts. W/1-7 are the several notices dated 23rd January 1959 served on the petitioners. It is mentioned therein, that on 15th January 1959 written instructions had been given by the management that there was no work for the wagon loading mazdoors and the truck loading mazdoors, that the several petitioners did not heed the instructions, and, contrary thereto, worked with the masons and others on the construction of the pit Head Bath, that no wages could be paid for 15th January 1959, but that however lay off compensation would be paid for that day. The management's contention receives support from Ext. M/1, which is a copy of the notice sent by the Rajasthan State Electricity Board, Bikaner dated 12th January, 1959, informing the Manager of the Palana Colliery, that there would be irregular supply of electricity on various feeders, and that only essential services like water works and hospitals, would be kept going. Ext. M/2 is a list of stocks in January, 1959, and therefrom it can be gathered, that there was a large accumulation of stocks at the material time. There is no doubt at all, that the evidence fully establishes, that there was no work for the wagon loaders and truck loaders on 15th January, 1959 on account of the irregular supply of electricity, non-supply of wagons by the Railway, and the truck being sent to Bikaner for servicing. The management were not in a position to give work on that day to the present petitioners, who were working as wagon loaders and truck loaders, on account of reasons beyond their control. When the several petitioners had been informed, that there was no work for them on 15th January 1959, there was no justification for their working on that day along with masons and others on the construction of the pit Head Bath. This work was not assigned to them, and there was full complement of other workmen for doing this work. The several petitioners cannot claim full wages on account of their having done a full day's work on 15th January, 1959 in connection with the pit Head Bath. If they did any work, they did so in disobedience of the orders of the management. The management were justified in laying them off for want of work on 15th January, 1959, and they are entitled only to lay off compensation under Section 25C for that day. The action of the management is entirely in accordance with the Standing Orders, and the Industrial Disputes Act, and there has been no alteration in the conditions of service. I find, that there was lay off of the several petitioners on 15th January, 1959, that such lay off is lawful and justified, and is bona fide, and for reasons beyond the control of the management, and that the several petitioners are not entitled to receive anything more than lay off compensation under Section 25C of the Industrial Disputes Act, and that their claim for recovery of full wages on that day is untenable.

#### *Issue No. 1*

7. In view of my finding as above, there has been no alteration of the conditions of service of the petitioners to their prejudice. The management's action is in accordance with the provisions of the Industrial Disputes Act as to lay off, and the Standing Orders. I fail to see how Section 33 of the Industrial Disputes Act has been contravened by the management. Moreover, it has been laid down in the decision in Trichinopoly Mills Ltd. (1958 II LLJ 511), that there is no contravention of Section 33 of the Industrial Disputes Act, when workmen are laid off for reasons beyond the control of the management, and when the action of the management is in accordance with the provisions of the Standing Orders. I find, that the several petitions, as brought, are also not maintainable, as there is no contravention of Section 33 of the Industrial Disputes Act.

#### *Issue No. 3*

8. For the reasons mentioned above, it is clear, that the several petitioners are not entitled to the relief claimed. They are not entitled to recover full wages for 15th January, 1959, and they are only entitled to lay off compensation under Section 25C of the Industrial Disputes Act.

#### *Issue No. 4*

9. In the result, the several petitions are dismissed. There will be no order as to costs.

10. An award is passed in each of the several petitions accordingly.  
(Six Pages)

25th May, 1959.

E. KRISHNA MURTI,  
Central Govt. Industrial Tribunal: Delhi.

[No. LRII-4(M)/59.]

**S.O. 1398.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Lachmi Colliery, Parbad, and their workmen.

#### AWARD

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No. 12 OF 1959

Employers in relation to the Lachmi Colliery

AND

Their workmen

PRESENT

Shri Salim M. Merchant, Presiding Officer.

*Dated, the 30th May 1959*

#### APPEARANCES:

Shri Prasanta Burman, Treasurer, Bihar Koyla Mazdoor Sabha, for the workmen.

Shri D. N. Ganguli, Office Superintendent, Duly Authorised for the employers.

Industry: Coal

State: Bihar

#### AWARD

The Government of India, Ministry of Labour & Employment, by its Order No. L.R.II-2(12)59, dated 21st February 1959, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947), was pleased to refer to me for adjudication, the industrial dispute between the parties above-named, in respect of the matters specified in the following schedule to the said Order:

#### SCHEDULE

- (1) Whether the management of the Lachmi Colliery was justified in retrenching Shri Ram Narayan Tewari a workman of the colliery, and if not, to what relief is he entitled and with effect from which date?
- (2) Whether the provisions laid down in Chapter VA of the Industrial Disputes Act, 1947 were followed in retrenching the workman; if not to what relief is he entitled and with effect from which date?

2. After the usual notices were issued on the parties the General Secretary, Bihar Koyla Mazdoor Sabha (hereinafter referred to as the Union), filed its written statement of claim on 11th March 1959, to which the management filed its written statement in reply on 1st April 1959, after which the dispute was fixed for hearing on 21st April 1959 and after adjournment was granted on the application of the Company to produce certain records, the hearing concluded on 6th May 1959.

3. Before dealing with the dispute on its merits, it is first necessary to deal with a preliminary legal objection against the legality of the reference and the jurisdiction of this Tribunal raised by the management in its written statement. The management contends that this dispute is an individual dispute and not an industrial dispute as the cause of the retrenched workman, Ram Narayan Tewari, has not been taken up by a substantial number of workmen of this colliery nor by the Union representing them and as such it is outside the purview of the Industrial Disputes Act and this Tribunal has no jurisdiction to entertain the same. The Union, however, claims that it represents a substantial number of workmen of this colliery who are its members and that these workmen as represented by the Union have taken up the cause of Ram Narayan Tewari and claim his reinstatement in service and therefore this dispute, though concerning an individual workman in its origin, has developed into an industrial dispute. It is now well settled law that a dispute over the dismissal of an individual workman would ripen into an industrial dispute if the cause of the dismissed workman is taken up by a Union of the workmen or a substantial number of workmen in the industrial concern. At the hearing the Union led the evidence of Ram Narayan Tewari,

the retrenched workman, who is also the Secretary of the Branch of the Union in the Lachmi Colliery, and he stated that there were about 150 to 200 workmen of the colliery who were members of the Union. Considering the total number of workmen in the colliery there is no doubt that a substantial number of them owe allegiance to this Union which has taken up the cause of the dismissed workman. It was this Union which raised this industrial dispute over the retrenchment of Ram Narayan Tewari, took it to conciliation and later got it referred to this Tribunal for adjudication. After this evidence was led Shri Ganguli, the Superintendent of the Colliery, did not in his address press this legal objection. I am, therefore, satisfied that the cause of Ram Narayan Tewari has been espoused by a substantial number of workmen of this colliery as represented by the Union and that this has developed into an industrial dispute. I, therefore, reject the contention of the management and hold that this is an industrial dispute as defined by section 2(k) of the Act and the reference by Government is a valid reference and I have jurisdiction to entertain the same.

4. On the merits of the dispute the admitted facts are that Ram Narayan Tewari joined the service of this colliery on 10th April 1953 and had worked in the colliery in various capacities as chaprassi, magazine guard, night guard and office chaprassi (Ex. W.C.), till his services were terminated by the management's notice dated 21st August 1958 (Ex. W.B.). In that notice the management had stated that due to reduction of work his services were no longer required from that date and that he would be paid one month's salary in lieu of notice, compensation as per rules and the arrears that were due to him under the Labour Appellate Tribunal's decision in the coal dispute, which is admittedly applicable to this colliery. He was called upon to collect his dues after handing over vacant possession of his quarters. It is admitted that he was a permanent employee of the Company.

5. The Union in its written statement has challenged the termination of Tewari's services on the ground that he was senior in service to many other workmen of the same category who were retained in service; that his post had not become surplus even though there was reduction of work in the colliery, that the management had not stated the reasons for the termination of his services as required by clause (a) of section 25-F of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act), and that the management had violated the provisions of section 25-G of the Act. The Union has also alleged that taking advantage of a temporary reduction in the work, the management in the garb of retrenchment had really victimised him for his trade union activities. It is admitted that the Union referred the dispute to the Labour Inspector (C) at Patherdih who suggested to the management to put him back to work as recorded by him in his letter to Tewari dated 28th November 1958 (Ex. W.D.). The matter was thereafter referred by the Union to the Conciliation Officer (C) at Dhanbad II, but the management did not appear before him even though 4 opportunities were given to it to do so. The Union has, therefore, claimed his re-instatement in service with full back wages.

6. The Company in its written statement has stated that Tewari was appointed as a Night Guard in this Colliery in May 1953; that because of reduction in work the Employers were obliged to terminate the services of several workmen of the colliery since October 1957 and on top of this, the working of the colliery was stopped in March 1958 under section 22 of the Mines Act; that it was thus not possible to retain the services of all the workmen, especially of un-productive and un-necessary staff; that Tewari was the only Night Guard in the Colliery and that after the working of the colliery was stopped, his services were terminated by company's notice dated 21st August 1958, as there was no need for a night guard; that being the only employee of the category of Night Guard the question of seniority in service did not arise. The management, therefore, denied that there was any violation by it of section 25-G of the Act. The management also denied all knowledge of the Union activities of Tewari. The management submits that the termination of the service of Tewari was justified and he is not entitled to any relief whatsoever.

7. It appears that in March 1958, the 13 seam of the colliery had been closed under section 22 of the Mines Act, and by the time Shri Tewari was retrenched on 21st August 1958, 100 other workmen had been retrenched. Partial working of the colliery was, however, resumed in November, 1958. The management seeks to justify the retrenchment of Ram Narayan Tewari on the ground that he was the only night guard in the colliery and that there was no need for any night guard after seam No. 13 was closed. But it appears that Tewari was working as

a magazine guard since about June 1958 for which an authorisation as required by the Coal Mines Regulations was issued to him on 13th June 1958 (Ex. W.A.). Shri Ganguli for the management at the hearing on 6th May 1958 admitted that there was another magazine guard who was junior to Shri Tewari in service. Even on the footing of Tewari being a Night Guard the Union's case is that after reduction in work, if any thing the need for a night guard was all the greater in the colliery, as doing its normal working, the workmen themselves guard the colliery and its property. It has argued that the company's statement that a night guard was not necessary was not correct nor justified as the management had re-employed certain chaprassis, whom it had retrenched from service and was making them do the duties of Night Guards. In that connection the Union mentioned the name of Chandra Das Singh and Bikan Singh, as two junior chaprassis who were retrenched in April 1958, but were re-employed after Tewari was retrenched and made to do the work of Night Guards. The management did not deny this. The management also admitted that these two chaprassis were taken back on a consolidated monthly salary of Rs. 65/- per month, which is less than the salary prescribed for chaprassis under the Majumdar Award, as modified by the L.A.T.'s decision, which admittedly applied to this colliery. It was also stated that Avadesh Misra and Chandu Singh, two other chaprassis, were also taken back in service, though they were junior in service to Tewari. They appear to have been taken back when Tewari was retrenched. It is also admitted that for sometime Avadesh Misra was paid by vouchers and thereafter his name was put on the muster roll. Shri Tewari in his evidence denied the management's suggestion that he was offered the post of chaprassi, before the post of chaprassi had been offered to Avadesh Misra and Chandu Singh.

8. On the state of the documentary and oral evidence on record, I am not satisfied that Tewari's discharge was either in order or justified. I am not satisfied with the management's story that Tewari was retrenched because he was working as the only night guard and there was no work for a night guard in the colliery. On the evidence on record and the statements made at the hearing it is quite clear that the management did need Night Guards and that in fact it had recalled the two junior chaprassis—Savashri Chandradeo Singh and Bhiku Singh and was making them work as night guards on a lesser salary than what is prescribed by the Majumdar Award even for Chaprassis. I accept Shri Prasant Barman's contention that Chaprassis, night guards, magazine guards, really formed part of the Watch & Ward department of the colliery and for the purposes of section 25-G the seniority among chaprassis, night guards and magazine guards, should have been determined department-wise. Even, otherwise, it is quite clear that the Company's reason that it retrenched Tewari as it did not need the services of a night guard was established to be false, as it had engaged other chaprassis to do the work of night guards. Besides, according to the Union Tewari was a magazine guard on the date of his retrenchment and as admitted by the Company there was another magazine guard junior to him who was retained in service.

9. Taking all these facts and circumstances into account it must be held on Issue No. (I) under reference that the management was not justified in retrenching Ram Narayan Tewari from service. It is also clear from what is stated above that the provisions 25-G of Chapter VA of the Industrial Disputes Act, 1947 were not followed in retrenching Ram Narayan Tewari and I would answer Issue (II) in the Order of Reference accordingly.

10. The next question to consider is what relief Shri Tewari should be granted. The Union has claimed that he should be re-instated in service in his old post and in any case at least as a chaprassi. The management opposes this claim and states that some compensation should be awarded to him, if it is held that he was wrongly retrenched. The Company has stated that there is really no scope for them to take back Tewari as the colliery is now working with a skeleton staff under a contractor. It is admitted that the management has advanced Tewari a sum of about Rs. 300/- including the amount the management spent on the funeral expenses of his son after he was retrenched from service. The management at the hearing was prepared to pay him a net compensation of Rs. 500/- after setting off the advance of about Rs. 300/- made to him, in full settlement of all his claims by way of retrenchment compensation for his past services, notice pay and other dues and his claim for reinstatement, if Tewari were not directed to be reinstated. Considering that the colliery is now working with a skeleton staff and under a contractor, I think the ends of justice would be met if instead of directing his reinstatement the management were directed to pay him a consolidated compensation of Rs. 1,000/- (Rupees one thousand) inclusive of retrenchment compensation for his past services and one month's

notice pay and compensation to him for the period of his unemployment from the date of his retrenchment, less the sum of about Rs. 300/- which the management has advanced to him. This would mean he would get about Rs. 700/- instead of Rs. 500/- offered to him at the hearing by the management. He shall in addition be paid his other dues by way of arrears of wage and dues under the Labour Appellate Tribunal's decision to which he was entitled on the date of his retrenchment. I further direct that this payment should be made to him within a fortnight of the date this award becomes enforceable.

I award Rs. 50/- (fifty) as costs to the Union.

SALIM M. MERCHANT, Presiding Officer.

[LRII-2(12)/59.]

#### ORDER

*New Delhi, the 11th June 1959*

**S.O. 1399.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the New Jenagara Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal Dhanbad constituted under section 7A of the said Act.

#### SCHEDULE

Whether the dismissal of Sarvashri Lakhan Singh, Basudeo Mahato and Sarju Mahato, Hard Coke Mazdoors of New Jenagara Colliery, was justified. If not, to what relief they are entitled and from what date.

[No. F. LRII-2(87)68.]

A. L. HANDA, Under Secy.

*New Delhi, the 12th June 1959*

**S.O. 1400.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishments mentioned in the Schedule annexed hereto, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishments;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishments.

This notification shall be deemed to have come into force on the 1st day of August 1958.

#### SCHEDULE

1. The Madras Rubber Factory, (Head Office), No. 2, Errabalu Chetty Street, George Town, Madras.
2. The Madras Rubber Factory, (Coimbatore Branch) 128-A, Trichy Road, Coimbatore (Madras State).
3. The Madras Rubber Factory, (Kottayam Branch), Manorama Buildings, K. K. Road, Kottayam, (Kerala State).
4. The Madras Rubber Factory, (Delhi Branch), 10 Royal Hotel, Queens Road, New Delhi.
5. The Madras Rubber Factory, (Calcutta Branch), 20 Strand Road, Calcutta.
6. The Madras Rubber Factory, (Trichur Branch), Adlar Buildings, Municipal Road, Trichur, (Kerala State).

7. The Madras Rubber Factory, (Bezwada Branch), Park Road, Bezwada (Andhra Pradesh).

8. The Madras Rubber Factory, (Nagpur Branch), Shop No. 6, Tidke Bhawan, Central Avenue Road, Nagpur-2.

9. The Madras Rubber Factory, (Olavakkot Branch), 28/153, Varithode, Olavakkot, (Kerala State).

[PF.II-9(21)58.]

*New Delhi, the 15th June 1959*

**S.O. 1401.**—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st November, 1952, to the factory known as the National Electrical Industries Limited, Industrial Estate, Lalbang, Bombay-12, there was in existence a provident fund common to the employees employed in the factory, to which the said Act applies, and the employees in their Branch Office at Indira Palace Lodge, Connaught Circle, New Delhi—1.

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the aforesaid Branch Office.

[No. PF.II-7(20)/59.]

**S.O. 1402.**—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 30th September, 1956, to the factory known as Messrs. Parke Davis (India) Private Limited, Spencer's Building, 28/32, Forjett Street, Bombay-26, there was in existence a provident fund common to the employees employed in the factory, to which the said Act applies, and the employees in their Head Office, situated at Canada Building, Dr. Dadabhai Naoroji Road, Bombay-1;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the aforesaid Head Office.

[No. PF.II-7(5)/59.]

**S.O. 1403.**—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st October, 1956, to the factory known as Messrs. Burroughs Wellcome and Company (India) Private Limited, 88-C, Elphin House, Old Prabhadevi Road, Bombay-28, there was in existence a provident fund common to the employees employed in the factory, to which the said Act applies, and the employees in their other establishments specified in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the aforesaid establishments.

#### SCHEDULE

1. Messrs. Burroughs Wellcome & Co. (India) Private Ltd., Head Office, Cook's Building, Dr. Dadabhai Naoroji Road, Bombay-1.

2. Messrs. Burroughs Wellcome & Co. (India) Private Ltd., Sales Office, Cook's Building, Dr. Dadabhai Naoroji Road, Bombay-1.

3. Messrs. Burroughs Wellcome & Co. (India) Private Ltd., Warehouse Cook's Building, Dr. Dadabhai Naoroji Road, Bombay-1.

[No. PF.II-7(1)59.]

V. R. ANTANI, Dy. Secy.

*New Delhi, the 13th June 1959*

**S.O. 1404.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal at Bombay, in the industrial dispute between the employers in relation to the New India Assurance Company Limited and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT  
BOMBAY

REF. No. (CGIT) 14 of 1959

In the matter of

The New India Assurance Company Limited

AND

their workmen

Dated, the 30th May, 1959

PRESENT:

F. Jeejeebhoy, Judge.

APPEARANCES:

*For the employers*—Mr. A. N. Shah, Chief Administrative Officer, Mr. V. D. Gholani, Personnel Superintendent.*For the workmen*—Shri C. M. Inamdar, Shri C. S. Sastry, Shri K. B. Sharma.

## AWARD

By an Order of the Government of India in the Ministry of Labour and Employment, dated 23rd April, 1959, the Central Government referred to this Tribunal an industrial dispute between the New India Assurance Company Limited and their workmen in respect of matters specified in the Schedule to the Order.

Parties intimated that they had settled the matter outside the Reference and they asked that the Reference be closed. I have given notice of this settlement to all the individuals concerned numbering 132. But no one has appeared this morning in response to the notice. As the matters referred to adjudication have been settled there is nothing further to be done and the Reference is closed.

Ordered accordingly.

(Sd.) F. JEEJEEBHUY, Judge.

[No. LR11-11(25)/58.]

A. P. VEERA RAGHAVAN, Under Secy.

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New Delhi, the 15th June 1959

**S.O. 1405.**—In exercise of the powers conferred by clause (a) of sub-section (1) of section 5 and section 9 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby nominates Shri P. K. Sen, Deputy Secretary to the Government of India, Ministry of Works, Housing & Supply, to be a member of the Committee constituted under section 5 of the said Act by the notification of the Government of India, Ministry of Labour & Employment No. S.O. 2032 dated the 23rd September 1958, *vice* Shri L. S. Sundara Rajan and makes the following amendment to the said notification, namely:—

In the said notification, under the heading "Representatives of employers", for the entry "(4) Shri L. S. Sundara Rajan, I.A.S., Deputy Secretary to the Government of India, Ministry of Works, Housing & Supply, New Delhi", the following entry shall be substituted, namely:—

"(4) Shri P. K. Sen, Deputy Secretary to the Government of India, Ministry of Works, Housing & Supply, New Delhi."

[No. LWI(1)-6(7)/59.]

P. R. NAYAR, Under Secy.

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New Delhi, the 15th June 1959

**S.O. 1406.**—**MDLB/(2)/Am.(6)/57.**—In pursuance of clause 4 of the Madras Dock Workers (Regulation of Employment) Scheme, 1956, the Central Government hereby appoints Shri A. R. Conway, to be a member of the Madras Dock Labour Board in place of Shri S. S. T. Chari who has resigned and makes the following further amendment in the notification of the Government of India in

the Ministry of Labour No. S.R.O. 2377/MDLB/(2)/56, dated the 23rd October, 1956, namely:—

In the said notification, under the heading "*Representatives of employers of dock workers and shipping companies*", in item (4), for the entry "Shri S. S. T. Chari", the entry "Shri A. R. Conway" shall be substituted.

[No. Fac.76(23).]

**S.O. 1407.—BDLB/Am(9)/59.**—In pursuance of clause 4 of the Bombay Dock Workers (Regulation of Employment) Scheme, 1956, the Central Government hereby appoints Shri E. M. Cassinath, as a member of the Bombay Dock Labour Board *vice* Shri K. A. Dubesh, resigned, and makes the following further amendment in the notification of the Government of India in the Ministry of Labour No. S.R.O. 2635, dated the 8th November, 1956, namely:—

In the said notification, under heading "*Members representing the employers of dock workers and shipping companies*", in item (1), for the entry "Shri K. A. Dubash", the entry "Shri E. M. Cassinath" shall be substituted.

[No. Fac. 170(2)/57.]

B. K. BHATTACHARYA, Dy. Secy.

New Delhi, the 15th June 1959

**S.O. 1408.**—Whereas the Central Government is satisfied that the employees of the Record Processing Plant (A.I.R.) Talkatora Road, Talkatora Barracks, Parliament Street, New Delhi (a Central Government undertaking), are in receipt of benefits substantially similar or superior to the benefits provided under the Employees' State Insurance Act, 1948 (34 of 1948);

Now, therefore, in exercise of the powers conferred by section 90 of the said Act, the Central Government hereby exempts the said factory from all the provisions of the said Act.

[No. F. HI-6(129)/59.]

BALWANT SINGH, Under Secy.

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#### MINISTRY OF INFORMATION & BROADCASTING

New Delhi-2, the 12th June 1959

**S.O. 1409.**—In exercise of the powers conferred by section 6 of the Cinematograph Act, 1952 (37 of 1952), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Information and Broadcasting No. 9/4/59-FC, dated the 1st June, 1959, namely:—

In paragraph (2) of the said notification, for the words "fifteen days" the words "twenty-two days" shall be substituted.

[No. F.HI-6(129)/59.]

D. R. KHANNA, Under Secy.